

A Regular Meeting of the Troy City Council was held Monday, July 10, 2006, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:33 P.M.

Mayor Pro Tem Broomfield 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 (Absent)
Jeanne M. Stine

Resolution to Excuse Council Member Lambert from the Regular City Council Meeting of Monday, July 10, 2006

Resolution #2006-07-280
Moved by Broomfield
Seconded by Howrylak

RESOLVED, That the Troy City Council hereby **EXCUSES** the absence of Council Member Lambert at the Regular City Council Meeting of July 10, 2006 due to being out of the county.

Yes: All-6
No: None
Absent: Lambert

Resolution to Excuse Council Members Broomfield and Fleming from the Special City Council Meeting of Thursday, June 29, 2006

Resolution #2006-07-281
Moved by Howrylak
Seconded by Stine

RESOLVED, That the Troy City Council hereby **EXCUSES** the absence of Council Member Broomfield and Council Member Fleming at the Special City Council Meeting of June 29, 2006 due to being out of the county.

Yes: All-6
No: None
Absent: Lambert

CERTIFICATES OF RECOGNITION:

- A-1** On behalf of City Council, City Staff and the citizens of the City of Troy, Mayor Schilling informally recognized John M. Lamerato, Assistant City Manager-Finance/Administration for an outstanding dedicated job as Acting City Manager.

CARRYOVER ITEMS:

- B-1** No Carryover Items

PUBLIC HEARINGS:

C-1 Commercial Vehicle Appeal – 1868 Welling Drive

The Mayor opened the Public Hearing for public comment.
The Mayor closed the Public Hearing after receiving comment from the petitioner. There was no public comment.

Resolution #2006-07-282
Moved by Broomfield
Seconded by Fleming

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, justifying the granting of a variance:

- 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 Dave Werner, 1868 Welling Drive, for waiver of Chapter 39, Section 40.66.00, of the Code of the City of Troy, to permit outdoor parking of a Chevrolet dump truck in a residential district is hereby **APPROVED** to perform maintenance on the vehicle not to exceed two days per month for a time period of one year.

Yes: Broomfield, Fleming, Howrylak, Schilling, Beltramini

No: Stine

Absent: Lambert

MOTION CARRIED

C-2 Commercial Vehicle Appeal – 2127 Atlas

The Mayor opened the Public Hearing for public comment.

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

Resolution #2006-07-283

Moved by Broomfield

Seconded by Fleming

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 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);

NOW, THEREFORE, BE IT RESOLVED, That the request from Kevin Ferguson, 2127 Atlas, for waiver of Chapter 39, Section 40.66.00, of the Code of the City of Troy, to permit outdoor parking of a GMC cube van in a residential district is hereby **APPROVED** for a period of one year contingent upon the installation of a privacy fence across the driveway area within the next month.

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

MOTION CARRIED

The meeting **RECESSED** at 8:59 P.M.

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

C-3 Zoning Ordinance Text Amendment (File No: ZOTA 214) – Article X, Group Child Care Homes in the R-1A through R-1E Districts

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 #2006-07-284
Moved by Fleming
Seconded by Broomfield

RESOLVED, That Article X (ONE-FAMILY RESIDENTIAL DISTRICTS) of the City of Troy Zoning Ordinance be **POSTPONED** until the Regular City Council Meeting scheduled for Monday, September 11, 2006 for the purpose of addressing concerns raised by City Council.

Yes: All-6
No: None
Absent: Lambert

POSTPONED ITEMS:

D-1 Approval of Cost Participation Agreement for the Reconstruction of Crooks Road, Square Lake to M-59 – Project No. 94.108.6

Resolution #2006-07-285
Moved by Beltramini
Seconded by Stine

RESOLVED, That the Cost Participation Agreement between the City of Troy and the Board of Road Commissioners for the County of Oakland for Crooks Road, Square Lake to M-59, Project No. 94.108.6, is hereby **APPROVED** and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the Agreement.

Yes: All-6
No: None
Absent: Lambert

D-2 Traffic Committee Recommendations – April 19, 2006

No Changes to Traffic Control Devices at Ivanhoe and Sweet

Resolution
Moved by Beltramini
Seconded by Fleming

RESOLVED, That **NO CHANGES** be made to traffic control devices at Ivanhoe and Sweet.

Substitute Amendment

Resolution
Moved by Stine
Seconded by Fleming

RESOLVED, That the preceding resolution for *Traffic Control Devices at Ivanhoe and Sweet* be **SUBSTITUTED** with the following:

RESOLVED, That Traffic Control Order No. _____ be **ISSUED** for the installation of YIELD sign at Ivanhoe and Sweet.

Vote on Resolution to Postpone

Resolution #2006-07-286
Moved by Howrylak
Seconded by Stine

RESOLVED, That Traffic Committee Recommendations – April 19, 2006 be **POSTPONED** until the Regular City Council Meeting scheduled for Monday, July 24, 2006.

Yes: All-6
No: None
Absent: Lambert

D-3 Revisions to DDA By-Laws

Resolution
Moved by Beltramini
Seconded by Broomfield

RESOLVED, That the proposed revisions to the City of Troy Downtown Development Authority By-Laws and Rules of Procedure are **APPROVED** as recommended by City Administration, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Vote on Resolution to Amend

Resolution #2006-07-287

Moved by Howrylak

Seconded by Broomfield

RESOLVED, That the Resolution for *Proposed Revisions to the City of Troy Downtown Development Authority By-Laws and Rules of Procedure* be **AMENDED** by **INSERTING**, "Section 2, Quorum under Article V, For the transaction of ordinary business at any Regular Meeting, adjourned meeting, or special meeting, seven (7) members shall constitute a quorum. Except as otherwise stated in these By-Laws, an affirmative vote of a majority of the members elected at a duly called meeting of the BOARD shall be necessary in order to make a decision.

Yes: Broomfield, Fleming, Howrylak

No: Beltramini, Stine, Schilling

Absent: Lambert

MOTION FAILED

Vote on Resolution to Postpone

Resolution #2006-07-288

Moved by Stine

Seconded by Broomfield

RESOLVED, That the Resolution for *Proposed Revisions to the City of Troy Downtown Development Authority By-Laws and Rules of Procedure* be **POSTPONED** until the Regular City Council Meeting scheduled for Monday, July 24, 2006.

Yes: All-6

No: None

Absent: Lambert

CONSENT AGENDA:

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

Resolution #2006-07-289

Moved by Stine

Seconded by Beltramini

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Item E-4b, which shall be considered after Consent Agenda (E) items, as printed.

Yes: All-6
No: None
Absent: Lambert

E-2 Approval of City Council Minutes

Resolution #2006-07-289-E-2

RESOLVED, That the Minutes of the 7:30 PM Regular City Council Meeting of June 19, 2006 and the Minutes of the 7:30 PM Special City Council Meeting of June 29, 2006 be **APPROVED** as submitted.

E-3 Proposed City of Troy Proclamation:

Resolution #2006-07-289-E-3a

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

- a) Proclamation – Ride to Work Day – July 19, 2006

E-4 Standard Purchasing Resolutions

- a) **Standard Purchasing Resolution 9: Membership Renewal – Macomb County Criminal Justice Training Consortium**

Resolution #2006-07-289-E-4a

WHEREAS, Macomb Community College has provided the City of Troy Police Department with training at their Criminal Justice Training Facility; and

WHEREAS, It is desirable to continue re-certification of police officers in Emergency Vehicle Operations and utilize the state of the art computerized simulated shooting system, FATS;

THEREFORE, BE IT RESOLVED, That a one-year membership renewal is hereby **APPROVED** with Macomb Community College to continue the membership in the Macomb County Criminal Justice Training Consortium at an estimated annual cost of \$21,920.00, and approval is hereby **GRANTED** to use all other training services provided through Consortium membership on a reduced cost basis.

E-5 Approval of Subcontract with Greenstar & Associates, LLC for Right-of-Way Services for the Reconstruction and Widening of John R from Long Lake to Square Lake – Project No. 02.203.5

Resolution #2006-07-289-E-5

RESOLVED, That Subcontract No. 05-5109/S1, between the City of Troy and Greenstar & Associates, LLC for right-of-way services for the reconstruction of John R, between Long Lake and Square Lake is hereby **APPROVED** at an estimated cost to the City of Troy not to exceed

\$50,000.00, and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the subcontract, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-6 Approval of Subcontract with Greenstar & Associates, LLC for Right-of-Way Services for the Reconstruction and Widening of John R from Square Lake to South Boulevard – Project No. 02.204.5

Resolution #2006-07-289-E-6

RESOLVED, That Subcontract No. 05-5110/S1, between the City of Troy and Greenstar & Associates, LLC for right-of-way services for the reconstruction of John R, between Square Lake and South Boulevard is hereby **APPROVED** at an estimated cost to the City of Troy not to exceed \$50,000.00, and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the subcontract, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-7 Addendum No. 1: Contract 04-2 – Maple Road Water Main Replacement, Coolidge to Crooks

Resolution #2006-07-289-E-7

RESOLVED, That Addendum No. 1 to Contract No. 04-2, Maple Road Water Main Replacement from Coolidge to Crooks, is hereby **APPROVED** to Aielli Construction Co., 36609 Groesbeck Hwy., Clinton Township, MI 48035 at unit prices contained in the contract, the total amount authorized is \$1,024,847.41 and includes the previous authorized amount of \$887,740.10, 10% contingency as per the contract award resolution and the \$48,333.30 amount for which Addendum No. 1 exceeds the 10% contingency.

E-8 Acceptance of Three Easements and One Warranty Deed from Quattro Development Company, Inc. – Sidwell #88-20-15-428-012

Resolution #2006-07-289-E-8

RESOLVED, That the three easements and one warranty deed received from Quattro Development Company, Inc., owners of property having Sidwell #88-20-15-428-012 are hereby **ACCEPTED**; and

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

E-9 D & K Hannawa, LLC v. City of Troy, et. al

Resolution #2006-07-289-E-9

BE IT RESOLVED, That the Consent Judgment in the matter of D & K Hannawa, LLC v. City of Troy, et. al is hereby **APPROVED**, and the Assistant City Attorney is **AUTHORIZED TO EXECUTE** the document on behalf of the City of Troy, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-10 Hooters Lawsuit

Resolution #2006-07-289-E-10

RESOLVED, That the City Attorney is hereby **AUTHORIZED** and **DIRECTED** to represent the City of Troy in any and all claims and damages in the matter of *In re Hooters of Troy Inc.*, and to **RETAIN** any necessary expert witnesses and outside legal counsel to adequately represent the City.

E-11 Private Agreement for North Hills Christian Reform Church – Project No. 06.915.3

Resolution #2006-07-289-E-11

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and North Hills Christian Reform Church, is hereby **APPROVED** for the installation of water main and paving 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-12 Fireworks Permit – Troy Daze Festival

Resolution #2006-07-289-E-12

RESOLVED, That a fireworks permit be **ISSUED** to Mad Bomber Fireworks Productions, of Kingsbury, IN for the display of fireworks at the conclusion of the 2006 Troy Daze Festival.

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

E-4 Standard Purchasing Resolutions**b) Standard Purchasing Resolution 8: Best Value Process Award – 2007 Calendar/Annual Report Printing Services**

Resolution #2006-07-290

Moved by Stine

Seconded by Beltramini

RESOLVED, That a contract to provide printing and design services to mail 40,000 copies of the 2007 City calendar with an option to renew for the 2008 calendar year is hereby **AWARDED** to University Lithographers, Inc. of Ann Arbor, MI, the vendor with the highest final weighted score, as a result of a Best Value process which the Troy City Council determines as being in the public interest at an estimated cost of \$33,825.00 per year, at unit prices contained in the tabulation opened May 17, 2006, plus \$2,310.00 for the reply card insert; and

BE IT FURTHER RESOLVED, That City Management **INTENDS** to sell advertising in excess of \$11,000.00 to help offset the costs to produce the calendar/annual report; and

BE IT FINALLY RESOLVED, That the City is **AUTHORIZED TO ACCEPT** an increase in paper prices for the 2008 calendar/annual report not to exceed the CPI for the Detroit /Ann Arbor area base year June 2006 or the CPI Inflation Calculator, whichever is lower.

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

MOTION CARRIED

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

Resolution #2006-07-291
 Moved by Broomfield
 Seconded by Howrylak

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 12:30 AM.

Yes: All-6
 No: None
 Absent: Lambert

PUBLIC COMMENT: Limited to Items Not on the Agenda

REGULAR BUSINESS:

F-1 **Appointments to Boards and Committees: a) Mayoral Appointments: Planning Commission b) City Council Appointments: Advisory Committee for Persons with Disabilities; Ethnic Issues Advisory Board; Library Advisory Board; Parks & Recreation Board; Traffic Committee; and Troy Daze Committee c) Confirmation of City Manager Appointment: Employee Retirement System Board of Trustees and Retiree Health Care Benefits Plan & Trust**

(a) Mayoral Appointments

Resolution #2006-07-292
 Moved by Schilling
 Seconded by Broomfield

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

Planning Commission

Appointed by Mayor (9) – 3 Year Terms

Jonathan Shin

 Term Expires 07/01/07 **(Student)**

Yes: All-6
No: None
Absent: Lambert

(b) City Council Appointments

Resolution #2006-07-293b
Moved by Broomfield
Seconded by Beltrami

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

Advisory Committee for Persons with Disabilities

Appointed by Council (9 Regular Members; 3 Alternates) – 3 Year Terms

Margaret Apte

 (Alternate) Unexpired Term Expires 11/01/06

Chelsea Weidman

 Term Expires 07/01/07 **(Student)**

Gina Hyun

 Term Expires 07/01/07 **(Student)**

Ethnic Issues Advisory Board

Appointed by Council (9) – 2 & 3 Year Terms

Mayada Fakhouri

 Unexpired Term 09/30/07

Helen Yang

 Term Expires 07/01/07 **(Student)**

Library Advisory Board

Appointed by Council (5) – 3 Year Terms

Shurthi Subramanian

 Term Expires 07/01/07 **(Student)**

Parks & Recreation Board

Appointed by Council (10) – 3 Year Terms

Kirk Serkh

 Term Expires 07/01/07 **(Student)**

Traffic Committee

Appointed by Council (7) – 3 Year Terms

Prithvi Murthy

 Term Expires 07/01/07 **(Student)**

Troy Daze Committee

Appointed by Council (9) – 3 Year Terms

Connie Huang Term Expires 07/01/07 **(Student)**

Kasey Wang Term Expires 07/01/07 **(Student)**

Yes: All-6
 No: None
 Absent: Lambert

(c) Confirmation of City Manager Appointment to Employee Retirement System Board of Trustees and Retiree Health Care Benefits Plan & Trust

Resolution #2006-07-293c
 Moved by Broomfield
 Seconded by Beltramini

RESOLVED, That the appointment of the City Manager, Phillip Nelson is hereby **CONFIRMED BY THE CITY COUNCIL** to serve on the Boards and Committees as indicated below:

Employee Retirement System Board of Trustees and Retiree Health Care Benefits Plan & Trust

Confirmation of Appointment by Council – Chapter 10 of the Troy City Code

Phillip Nelson **(City Manager)** Ordinance – Chapter 10

Yes: All-6
 No: None
 Absent: Lambert

F-2 Bid Waiver – Contract Extension – Alarm Installation, Monitoring and Maintenance

Resolution #2006-07-294
 Moved by Stine
 Seconded by Beltramini

WHEREAS, On July 25, 1994 City Council approved a five (5) year contract to provide alarm installation, monitoring, and maintenance with an option to renew for an additional two (2) year period to Vigilante Security, Inc. as the result of a 1994 RFP process (Resolution #94-624), and extended yearly administratively under the same prices, terms and conditions; and

WHEREAS, Vigilante Security, Inc. has offered to extend their contract until December 31, 2007 under the same prices, terms, and conditions with the exception of the call-out hourly rate which will increase in accordance with the CPI Inflation Calculator and include any changes to alarm installations required;

THEREFORE, BE IT RESOLVED, That a contract to provide alarm installation, monitoring, and maintenance is hereby **APPROVED** with Vigilante Security, Inc. of Lathrup Village, MI, under the prices, terms, and conditions as outlined expiring December 31, 2007.

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

MOTION CARRIED

F-3 Preliminary Site Condominium Approval – Tuscan Estates Site Condominium, West Side of Dequindre Road, South of Wattles Road, Section 24 – R-1C

Resolution
Moved by Beltramini
Seconded by Broomfield

RESOLVED, That the Preliminary Plan as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential Development) for the development of a One-Family Residential Site Condominium known as Tuscan Estates Site Condominium, as recommended for approval by City Management, located on the west side of Dequindre, south of Wattles, including 11 home sites, within the R-1C zoning district, being 4.3 acres in size, is hereby **APPROVED**.

Vote on Resolution to Amend

Resolution #2006-07-295
Moved by Stine
Seconded by Beltramini

RESOLVED, That the Resolution for *Preliminary Site Condominium Approval – Tuscan Estates Site Condominium, West Side of Dequindre Road, South of Wattles Road, Section 24 – R-1C* be **AMENDED** by **INSERTING** “ the Planning Commission and” **BEFORE** “City Management.”

Yes: All-6
No: None
Absent: Lambert

Vote on Resolution as Amended

Resolution #2006-07-296
Moved by Beltramini
Seconded by Broomfield

RESOLVED, That the Preliminary Plan as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential Development) for the development of a One-Family Residential Site Condominium known as Tuscan Estates Site Condominium, as recommended for approval by the Planning Commission and City Management, located on the west side of Dequindre, south of Wattles, including 11 home sites, within the R-1C zoning district, being 4.3 acres in size, is hereby **APPROVED**.

Yes: All-6
No: None
Absent: Lambert

F-4 Final Site Condominium Approval – Longfellow Site Condominium, West Side of Rochester Road, North Side of Longfellow, Section 15 – R-1C

Resolution #2006-07-297
Moved by Stine
Seconded by Fleming

RESOLVED, That the Final Plan as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential Development) for the development of a One-Family Residential Site Condominium known as Longfellow Site Condominium, as recommended for approval by City Management, located on the west side of Rochester, north of Longfellow, including 5 home sites, within the R-1C zoning district, being 1.85 acres in size, is hereby **APPROVED**.

Yes: All-6
No: None
Absent: Lambert

F-5 Restated and Amended Consent Judgment – K-Mart/Sheffield

Withdrawn at the request of City Management.

F-6 Gerback v. City of Troy – Settlement Proposal

Resolution #2006-07-298
Moved by Stine
Seconded by Beltramini

BE IT RESOLVED, That the proposed Consent Judgment in the matter of James L. Gerback, Successor Trustee Under the Amended Robert S. Binder Trust Agreement dated March 1, 2004 v. City of Troy is hereby **APPROVED** by the City of Troy, and the Assistant City Attorney is **AUTHORIZED TO EXECUTE** the document on behalf of the City of Troy, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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

MOTION CARRIED

F-7 Amendment #3 Concrete Pavement Repair

Resolution #2006-07-299

Moved by Stine

Seconded by Beltramini

WHEREAS, On June 5, 2006, Troy City Council approved to amend the contract 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 condition as the original contract (Resolution #2006-06-245); and

WHEREAS, City management completed locals road repairs under Proposal B in Section 11 and on Randall Drive which exceeded the approved amounts by \$25,000.00;

THEREFORE, BE IT RESOLVED, That the contract for concrete pavement repair under Proposal B is hereby **AMENDED** and **CONFIRMED** with Hard Rock Concrete, Inc. for an additional \$25,000.00 for a total approved contract amount of \$775,000.00, which are within budgeted amounts for the fiscal year ended June 30, 2006.

Yes: All-6

No: None

Absent: Lambert

F-8 Traffic Committee Recommendations – June 21, 2006

Resolution #2006-07-300

Moved by Stine

Seconded by Howrylak

(a) Establishment of Fire Lanes at 3129-3149 Crooks Road

RESOLVED, That Traffic Control Order No. 06-12-MR be **ISSUED** for the establishment of fire lanes at 3129-3149 Crooks Road.

Yes: All-6

No: None

Absent: Lambert

F-9 Schedule a Special Meeting for the Purpose of a Big Beaver Corridor Study Presentation

Resolution #2006-07-301

Moved by Howrylak

Seconded by Stine

RESOLVED, That City Council **SCHEDULE** a Special Meeting on Monday, July 24, 2006 at 6:00 PM in the Council Chambers at 500 W. Big Beaver, Troy, Michigan to review a presentation of the Big Beaver Corridor Study, and that City Council **INVITES** members of the

Planning Commission, Downtown Development Authority, Chamber of Commerce, Road Commission for Oakland County, other stakeholders and members of the public.

Yes: All-6
 No: None
 Absent: Lambert

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings:

- a) Street Vacation Application (File Number: SV 187) – A Section of Alley Located North of Big Beaver between Frankton and Troy, Section 22 – July 24, 2006
- b) Zoning Ordinance Text Amendment (File Number: ZOTA 219) – Articles II and III, Conditional Rezoning – July 24, 2006
- c) Zoning Ordinance Text Amendment (File Number: ZOTA 215-C) – Articles XLIII and XLIV, Pertaining to Commercial Vehicle Parking Appeals – July 24, 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

REPORTS:

J-1 Minutes – Boards and Committees:

- a) Retiree Health Care Benefits Plan & Trust/Final – March 8, 2006
- b) Advisory Committee for Persons with Disabilities/Draft – May 3, 2006
- c) Advisory Committee for Persons with Disabilities/Final – May 3, 2006
- d) Employees' Retirement System Board of Trustees/Final – May 10, 2006
- e) Troy Daze Advisory Committee/Final – May 23, 2006
- f) Downtown Development Authority/Final – June 1, 2006
- g) Planning Commission Special/Study/Draft – June 6, 2006
- h) Planning Commission Special/Study/Final – June 6, 2006
- i) Building Code Board of Appeals/Final – June 7, 2006
- j) Liquor Advisory Committee/Draft – June 12, 2006
- k) Employees' Retirement System Board of Trustees/Draft – June 13, 2006
- l) Planning Commission/Draft – June 13, 2006
- m) Planning Commission/Final – June 13, 2006
- n) Retiree Health Care Benefits Plan & Trust/Draft – June 13, 2006
- o) Troy Daze Advisory Committee/Draft – June 27, 2006
 Noted and Filed

J-2 Department Reports:

- a) City of Troy Monthly Financial Report – May 31, 2006
- b) City Council Expense Report – June, 2006
- c) Council Member Robin Beltramini's Travel Expense Report – NLC FAIR and Public Finance Panel – Joint Meeting
- d) City Attorney's Office – 2006 Second Quarter Litigation Report
- e) Troy Fire Department – 2005 Annual Report
- f) City Manager's Office – Receipt of 2006-07 Annual Budget (Document will be handed out at the Council Meeting)

Noted and Filed

J-3 Letters of Appreciation: None Submitted

J-4 Proposed Proclamations/Resolutions from Other Organizations:

- a) Resolution from the City of Lathrup Village Opposing the Ballot Proposal to Ban Affirmative Action

Noted and Filed

J-5 Calendar

Noted and Filed

J-6 Communication from Public Works Director Timothy Richnak Regarding 2006 Community Development Block Grant Funds

Noted and Filed

J-7 Communication from Council Member Robin Beltramini Regarding Meetings of National League of Cities FAIR Steering Committee and City Futures Panel on Public Finance, Cambridge MA, June 15-17, 2006

Noted and Filed

J-8 Communication from City Attorney Lori Grigg Bluhm Regarding Williams et. al v. City of Troy and Ken Freund

Noted and Filed

J-9 Communication from Assistant City Manager/Services Brian Murphy Regarding Summary of City Council's Comments on Blight Reduction Strategies

Noted and Filed

J-10 Communication from International City/County Management Association (ICMA) and National Research Center (NRC) Regarding the City of Troy Winning the 2005 Voice of the People Award

Noted and Filed

STUDY ITEMS: Removed due to late hour.

K-1 Disposal/Sale of Excess Property

K-2 Troy City Code Chapter 18 (Water Utility)

PUBLIC COMMENT: Address of "K" Items

CLOSED SESSION:

L-1 Closed Session:

The meeting **ADJOURNED** on Tuesday, July 11, 2006 at 12:15 P.M.

Louise E. Schilling, Mayor

Tonni L. Bartholomew, MMC
City Clerk