

A Regular Meeting of the Troy City Council was held Monday, October 23, 2006, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:30 P.M.

Pastor Mark VanSoestberg of First Presbyterian 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:

- a) Mayor Schilling presented a proclamation to John Crew, Vice President and Regional Manager for Kelly Services, on behalf of the City of Troy *Celebrating Kelly Services 60 Years in Business*

CARRYOVER ITEMS:

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

C-1 Establishment of an Industrial Development District (IDD) for Grid4 Communications, 2107 Crooks Road, Troy MI 48084-5534

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 #2006-10-317
Moved by Stine
Seconded by Fleming

RESOLVED, That the City Council of the City of Troy hereby **ESTABLISHES** an Industrial Development District (IDD) for Grid4 Communications, for property known as 2107 Crooks, Troy, MI. 48084-5534, Parcel #88-20-29-426-046, in accordance with City Council Policy Resolution #2006-06-238; and

BE IT FURTHER RESOLVED, That the City Clerk shall **FORWARD** a copy of this resolution to the State Tax Commission, Treasury Building, P.O. Box 30471, Lansing, MI. 48909-7971.

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

No: Howrylak

MOTION CARRIED

C-2 Approval of Industrial Facilities Exemption Certificate (IFEC) to Grid4 Communications, 2107 Crooks Road, Troy MI 48084-5534

The Mayor opened the Public Hearing for public comment.

The Mayor closed the Public Hearing after receiving no further comment from the petitioner and no comment from the public.

Resolution #2006-10-318

Moved by Beltramini

Seconded by Stine

WHEREAS, After due notice and proper hearing, the City Council of the City of Troy on October 23, 2006, established an Industrial Development District (IDD) for property known as 2107 Crooks, Troy, MI. 48084-5534, Parcel # 88-20-29-426-046;

WHEREAS, An Application has been submitted by Grid4 Communications for an Industrial Facilities Exemption Certificate (IFEC) for personal property at 2107 Crooks, Troy, MI. 48084-5534, for twelve (12) years; and

WHEREAS, After due and proper notice by the City Clerk, the City Council, on October 23, 2006, held a Public Hearing giving opportunity for comment by all taxing units as to the possibility that the granting of an Industrial Facilities Exemption Certificate (IFEC) for Grid4 Communications at 2107 Crooks, Troy, MI. 48084-5534 may have the effect of substantially impeding the operation of the taxing unit, or impairing the financial soundness of the taxing unit;

THEREFORE, BE IT RESOLVED, By the City Council of the City of Troy, that it has **FOUND THAT THE GRANTING** of an Industrial Facilities Exemption Certificate (IFEC) for Grid4 Communications, at 2107 Crooks, Troy, MI. 48084-5534 shall not substantially impede the operation of the City of Troy or the other taxing units, **NOR HAS IT BEEN FOUND THAT THE GRANTING** of the Industrial Facilities Exemption Certificate (IFEC) will impair the financial soundness of the city of Troy, or the other taxing units which levy taxes on said property; and

BE IT FURTHER RESOLVED, That the application for an Industrial Facilities Exemption Certificate (IFEC) fro Grid4 Communications at 2107 Crooks, Troy, MI 48084-5534, Parcel #88-20-29-426-046, be hereby **APPROVED** for personal property for a term of twelve (12) years, **CONTINGENT** upon the execution of a Letter of Agreement between the City of Troy and Grid4 Communications, in accordance with Public Act 198 of 1974, as amended; and

BE IT FURTHER RESOLVED, That the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the Letter of Agreement between the City of Troy and Grid4 Communications, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

BE IT FINALLY RESOLVED, That the City Clerk is hereby **AUTHORIZED TO COMPLETE** the Application and transmit same to the State Tax Commission, Treasury Building, P.O. Box 30471, Lansing, MI. 48909-7971

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

No: Howrylak

MOTION CARRIED

C-3 Rezoning Application (File Number: Z 714) – Proposed The Enclave Senior Housing, North of Long Lake between Livernois and Crooks, Section 9 – R-1B to R-EC

The Mayor opened the Public Hearing for public comment.

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

Resolution #2006-10-319

Moved by Lambert

Seconded by Stine

RESOLVED, That the R-1B to R-EC rezoning request located north of Long Lake, between Livernois and Crooks in Section 9, being 8.61 acres in size, is described in the following legal description and illustrated on the **ATTACHED** Certificate of Survey drawing:

T2N, R11E, W 1/2 of the SE ¼ of Section 9

Lots 95 through 102 and Lots 105 through 112 both inclusive, all being part of Beaver Hills Subdivision (Liber 26, Page 18, of Oakland County Records). Containing 8.61 ac., more or less, and subject to easements and restrictions of record.

RESOLVED, That the application **DOES NOT COMPLY** with the intent of the Future Land Use Plan and **DOES NOT MEET** the location standards of Section 19.40.00 of Chapter 39; and

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

Yes: All-7

POSTPONED ITEMS:

D-1 No Postponed Items

CONSENT AGENDA:

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

Resolution #2006-10-320

Moved by Beltramini

Seconded by Broomfield

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Item E-4d, which **SHALL BE CONSIDERED** after Consent Agenda (E) items, as printed.

Yes: All-7

E-2 Approval of City Council Minutes

Resolution #2006-10-320-E-2

RESOLVED, That the Minutes of the 7:30 PM Regular City Council Meeting of October 16, 2006 be **APPROVED** as submitted.

E-3 City of Troy Proclamation:

Resolution #2006-10-320-E-3a

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

- a) Celebrating 60 Years – Kelly Services

E-4 Standard Purchasing Resolutions

- a) **Standard Purchasing Resolution 2: Bid Award – Lowest Bidders Meeting Specifications – Seasonal Requirements of Grass Seed and Hydro Seeding Mulch/Fertilizer**

Resolution #2006-10-320-E-4a

RESOLVED, That contracts to purchase grass seed and hydro-seeding mulch/fertilizer for the 2007 season are hereby **AWARDED** to the lowest bidders meeting specifications as follows:

<u>VENDORS</u>	<u>ITEM(S)</u>
John Deere Landscapes of Armada, MI	1,2,3,4,5,6
Tri-Turf of Farmington Hills, MI	7,9
Washington Elevator Co, Inc of Washington Township	8

for an estimated total cost of \$16,126.00, at unit prices contained in the bid tabulation opened September 27, 2006, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

- b) **Standard Purchasing Resolution 7: Proprietary Service Contract – CLEMIS Fire Records Management System**

Resolution #2006-10-320-E-4b

RESOLVED, That a five-year proprietary interlocal service agreement with Oakland County for participation in the Oakland County Fire Records Management System is hereby **APPROVED** at an estimated total cost of \$18,025.00 expiring December 31, 2009.

c) **Standard Purchasing Resolution 1: Award to Low Bidder – One (1) 60,000 GVW Tandem Combination Sewer and Catch Basin Cleaning Machine, Less Trade-In**

Resolution #2006-10-320-E-4c

RESOLVED, That a contract to purchase one (1) 60,000 GVW tandem combination sewer and catch basin cleaning machine, less trade-in is hereby **AWARDED** to the low total bidder, Jack Doheny Supplies, Inc., of Northville, MI, for \$299,500.00 less trade-in of \$115,000.00 for an estimated net total cost of \$184,500.00.

e) **Standard Purchasing Resolution 1: Award to Low Bidders – Concrete Pavement Repair**

Resolution #2006-10-320-E-4e

RESOLVED, That contracts to complete the concrete pavement repair program for 2006/07 with an option to renew for one (1) additional year are hereby **AWARDED** to the three lowest bidders, Hard Rock Concrete, Inc. of Westland for proposal A, A-1 – Local Roads, Six-S, Inc. of Waterford for proposal B – Major Roads, and Major Cement Company of Detroit, MI, proposal C – Industrial Roads at unit prices contained in the bid tabulation opened October 10, 2006, a copy of which shall be **ATTACHED** to the original Minutes of this meeting not to exceed budgetary limitations; and

BE IT FURTHER RESOLVED, That the awards are **CONTINGENT** upon contractors submission of properly executed bid and contract documents, including bonds, insurance certificates and all other specified requirements.

f) **Standard Purchasing Resolution 8: Best Value Award–Appraisal Services–John R Improvement Projects, Long Lake to Square Lake, and Square Lake to South Boulevard**

Resolution #2006-10-320-E-4f

RESOLVED, That a contract to provide appraisal services for John R Improvement Projects, Long Lake to Square Lake, and Square Lake to South Boulevard is hereby **AWARDED** to Andrew Reed & Associates, Inc. of Berkley, MI, the lowest priced and highest scoring respondent as a result of a Best Value process, which the Troy City Council **DETERMINES** to be in the public interest at an estimated cost of \$36,500.00, plus \$150.00 per hour for any required updates not to exceed 45% of the original appraisal cost for updates; and \$150.00 per hour plus reasonable expenses for testifying at trial, if necessary; and

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

E-5 Macy*s Fireworks Permit Application

Resolution #2006-10-320-E-5

RESOLVED, That a fireworks permit be **ISSUED** to Zambelli Fireworks, Inc., of New Castle, PA, for the display of fireworks at Macy*s at the Oakland Mall on November 10, 2006.

E-6 Acceptance of Six Warranty Deeds for Caswell Town Center PUD 5, Section 2

Resolution #2006-10-320-E-6

RESOLVED, That the six Warranty Deeds from owners of property: Joseph Petruzzello, as Trustee or his Successor Trustee(s) under Agreement dated October 27, 1999 having Sidwell #88-20-02-101-001 & 003; Joseph and Josephine Petruzzello having Sidwell # 88-20-02-101-004; Genesis Real Estate Investment, LLC having Sidwell #88-20-02-101-008 & 009; and, Gary F. and Brenda Abitheira having Sidwell #88-20-02-101-002 are hereby **ACCEPTED**; and

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

E-7 Municipal Credit and Community Credit Agreement

Resolution #2006-10-320-E-7

RESOLVED, That the request that the City transfer Municipal Credit funds in the amount of \$76,084.00 and Community Credit funds in the amount of \$99,087.00 to Troy Medi-Go Plus for the operation of transportation service for senior citizens and persons with disabilities 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**d) Standard Purchasing Resolution 11: Rejection of Bid – Vehicle Wash Services**

Resolution #2006-10-321

Moved by Broomfield

Seconded by Stine

RESOLVED, That all bid proposals for ITB-COT 06-46, to provide two-year requirements of City vehicle wash services with an option to renew for an additional two years, opened September 13, 2006 are hereby **REJECTED** and will be re-bid.

Yes: All-7

PUBLIC COMMENT: Limited to Items Not on the Agenda

REGULAR BUSINESS:

F-1 Appointments to Boards and Committees: a) Mayoral Appointments: No Appointments; b) City Council Appointments: Advisory Committee for Persons with Disabilities; Ethnic Issues Advisory Board; Historic District Commission; Troy Daze Committee

(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:

Advisory Committee for Persons with Disabilities

Appointed by Council (9-Regular; 3-Alternate) – 3 Year Terms

Pauline Manetta Term Expires 11/01/09

Ethnic Issues Advisory Board

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

Lulu Guo Term Expires 07/01/07 (Student)

Historic District Commission

Appointed by Council (7) – 3 Year Terms

*One member, an architect if available
Two members, chosen from a list submitted by a
duly organized history group or groups*

Nishita Parmar Term Expires 07/01/07 (Student)

Gary Castile Term Expires 05/16/09

Troy Daze Committee

Appointed by Council (9) – 3 Year Terms

Robert A. Berk Term Expires 11/30/09

Michael S. Gonda Term Expires 11/30/09

Cheryl Whitton-Kaszubski Term Expires 11/30/09

Vote on Resolution to Amend by Separating and Postponing the Vote for the Appointments to the Troy Daze Committee

Resolution #2006-10-322
Moved by Beltramini
Seconded by Broomfield

RESOLVED, That Troy City Council hereby **AMENDS** the Resolution for *City Council Appointments* by **SEPARATING** and **POSTPONING** the vote for appointments to the *Troy Daze Committee* until the Regular City Council meeting scheduled for Monday, November 13, 2006.

Yes: All-7

Vote on City Council Appointments

Resolution #2006-10-323
Moved by Broomfield
Seconded by Lambert

Advisory Committee for Persons with Disabilities

Appointed by Council (9-Regular; 3-Alternate) – 3 Year Terms

Pauline Manetta Term Expires 11/01/09

Ethnic Issues Advisory Board

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

Lulu Guo Term Expires 07/01/07 (Student)

Historic District Commission

Appointed by Council (7) – 3 Year Terms

One member, an architect if available

Two members, chosen from a list submitted by a duly organized history group or groups

Nishita Parmar Term Expires 07/01/07 (Student)

Gary Castile Term Expires 05/16/09

Yes: All-7

F-2 Appointment of Master of Ceremonies and Official Host – Annual Appreciation Banquets

Resolution #2006-10-324
Moved by Howrylak
Seconded by Broomfield

RESOLVED, That Council Member Fleming **WILL ACT** as Master of Ceremonies and Official Host that evening and work with the Community Affairs Department for the Annual 2007 Boards & Committees Appreciation Banquet (February 10, 2007); and

BE IT FURTHER RESOLVED, That Council Member Lambert **WILL ACT** as Master of Ceremonies and Official Host that evening and work with the Community Affairs Department for the Annual 2007 Fire Fighters Appreciation Banquet (May 19, 2007).

Yes: All-7

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings:

- a) Zoning Ordinance Text Amendment (File Number: ZOTA 227) – Articles XXII, XXIII, XXIV and XXVIII – Ambulance Facilities in the B-3, H-S, O-1 and M-1 Districts – November 13, 2006
- b) Street Vacation (File Number: SV 148-C) – Portions of Daley Street abutting Lots 28 and 33 of Supervisors Plat No. 11 Subdivision, South of Big Beaver, North of I-75, Section 26 – November 13, 2006
- c) Commercial Vehicle Appeal – 5933 Diamond – November 27, 2006
Noted and Filed

G-2 Green Memorandums: None Submitted

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

H-1 No Council Referrals

COUNCIL COMMENTS:

I-1 No Council Comments

REPORTS:

J-1 Minutes – Boards and Committees:

- a) Library Advisory Board/Final – June 29, 2006
- b) Liquor Advisory Committee/Final – July 10, 2006
- c) Liquor Advisory Committee/Final – August 14, 2006
- d) Employees' Retirement System Board of Trustees/Final – September 13, 2006
- e) Planning Commission Special/Study/Final – September 26, 2006
- f) Troy Youth Council/Draft – September 27, 2006
- g) Building Code Board of Appeals/Draft – October 4, 2006
- h) Employees' Retirement System Board of Trustees/Draft – October 11, 2006
Noted and Filed

J-2 Department Reports:

- a) City of Troy Quarterly Financial Report – September 30, 2006
Noted and Filed

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 Preliminary Report from the Historic Homes Study Committee Concerning the Charlene Harris-Freeman and Carl Freeman Property

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

Resolution #2006-10-325
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 **MOVE FORWARD PUBLIC COMMENT** to take comment from the public **BEFORE STUDY ITEMS: K-1.**

Yes: All-7

STUDY ITEMS:

K-1 Ethics Policy

PUBLIC COMMENT: Address of “K” Items

CLOSED SESSION:

L-1 Closed Session: No Closed Session Requested

The meeting **RECESSED** at 8:43 P.M.

The meeting **RECONVENED** at 8:48 P.M.

The meeting **ADJOURNED** at 9:15 P.M.

Louise E. Schilling, Mayor

Tonni L. Bartholomew, MMC
City Clerk