

A Regular Meeting of the Troy City Council was held Monday, December 4, 2006, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:31 P.M.

Pastor Steve Husava 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 Service Commendation to Charles Palmer on behalf of the City of Troy recognizing his many contributions to the betterment of the City
- b) The *2006 Audited Financial Report* was presented by Tom Darling, CPA of Rehmann Robson and John M. Lamerato presented the *City of Troy's Comprehensive Annual Financial Report for the Year Ending June 30, 2006*
- c) John M. Lamerato, Assistant City Manager/Finance & Administration presented the GFOA Awards for Financial Reports

CARRYOVER ITEMS:

B-1 No Carryover Items

PUBLIC HEARINGS:

C-1 No Public Hearings

POSTPONED ITEMS:

D-1 **Mayoral Appointments to the Planning Commission**

Resolution #2006-12-365
 Moved by Schilling
 Seconded by Lambert

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

Planning Commission

Appointed by Mayor (9 Members) – 3 Year Terms

Michael W. Hutson Term Expires 12/31/09

Kathleen Troshynski Term Expires 12/31/09

John J. Tagle Term Expires 12/31/09

Yes: All-7

CONSENT AGENDA:

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

Resolution #2006-12-366

Moved by Stine

Seconded by Lambert

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Items E-02 and E-07, which **SHALL BE CONSIDERED** after Consent Agenda (E) items, as printed.

Yes: All-7

E-3 Proposed City of Troy Proclamation(s): None Submitted

E-4 Standard Purchasing Resolutions

a) Standard Purchasing Resolution 3: Exercise Renewal Option – Home Chore Lawn and Yard Services

Resolution #2006-12-366-E-4a

WHEREAS, On February 6, 2006, a contract for seasonal requirements of lawn and yard services for Troy residents using the Home Chore Program with an option to renew for one (1) additional year was awarded to the lowest bidder meeting specifications, Redburn's Snow Plowing and Lawn Maintenance, Inc. of Rochester Hills, MI, at unit prices contained in the bid tabulation opened January 11, 2006 (Resolution #2006-02-038); and

WHEREAS, Redburn's Snow Plowing and Lawn Maintenance, Inc. has agreed to exercise the one-year option to renew the contract under the same pricing, terms and conditions;

THEREFORE, BE IT RESOLVED, That the option to renew the contract is hereby **EXERCISED** with Redburn's Snow Plowing and Lawn Maintenance, Inc. to provide seasonal requirements of lawn and yard services for Troy residents using the Home Chore Program at an estimated cost of \$47,780.00, under the same prices, terms and conditions expiring December 31, 2007.

b) **Standard Purchasing Resolution 10: Travel Authorization and Approval to Expend Funds for City Council Member Robin Beltramini's Travel Expenses – National League of Cities (NLC) Leadership Meeting**

Resolution #2006-12-366-E-4b

RESOLVED, That Council Member Robin Beltramini is **AUTHORIZED** to attend the National League of Cities (NLC) Leadership Meeting in San Diego, CA from January 11 - 13, 2007 in accordance with accounting procedures of the City of Troy.

c) **Standard Purchasing Resolution 10: Travel Authorization and Approval to Expend Funds for City Council Members' Travel Expenses – National League of Cities (NLC) 2007 Annual Congressional City Conference**

Resolution #2006-12-366-E-4c

RESOLVED, That council members are **AUTHORIZED** to attend the National League of Cities (NLC) 2007 Annual Congressional City Conference in Washington, DC on March 10 -14, 2007 in accordance with accounting procedures of the City of Troy.

E-5 Pre-Tax Benefit Plan

Resolution #2006-12-366-E-5

RESOLVED, That the Troy City Council hereby **ADOPTS** the form of Pre-Tax Benefit Plan effective January 1, 2007, presented to this meeting and that the duly authorized agents of the Employer are hereby **AUTHORIZED AND DIRECTED TO EXECUTE AND DELIVER** to the Administrator of the Plan one or more counterparts of the Plan; and

BE IT FURTHER RESOLVED, That the Troy City Council hereby **DIRECTS** City Management to take such actions that are deemed necessary and proper in order to implement the Plan, and to set up adequate accounting and administrative procedures to provide benefits under the Plan; and

BE IT FURTHER RESOLVED, That the duly authorized agents of the Employer **SHALL ACT** as soon as possible to notify the employees of the Employer of the adoption of the Pre-Tax Benefit Plan by delivering to each employee a copy of the summary description of the Plan in the form of the Summary Plan Description presented to this meeting, which form is hereby **APPROVED**.

E-6 Private Agreement for Suma Medical Center – Project No. 06.905.3

Resolution #2006-12-366-E-6

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Dr. Kheir Al-Zouhayli, is hereby **APPROVED** for the installation of water main, concrete approach, aggregate base, concrete curb and gutter and concrete walkway 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-1b Address of "E" Items Removed for Discussion by City Council and/or the Public

E-2 Approval of City Council Minutes

Resolution #2006-12-367
Moved by Beltramini
Seconded by Broomfield

RESOLVED, That the Minutes of the 7:30 PM Regular City Council Meeting of November 27, 2006 be **APPROVED** as submitted.

Yes: All-7

E-7 Application for Transfer of Class C License for Kona Grill

(a) New License

Resolution #2006-12-368a
Moved by Stine
Seconded by Beltramini

RESOLVED, That the request from Kona Macadmamia, Inc., to transfer ownership of 2006 Class C licensed business, located in escrow at 819 E. Auburn Rochester Hills, MI 48307, Oakland County, from Whirly-Ball-Rochester L.L.C.; transfer location to 30 E. Big Beaver, Troy, MI 48084, Oakland County; requests a new SDM license to be held in conjunction; and requests a new official permit (food) and a new outdoor service area, be **CONSIDERED** for **APPROVAL**; and

BE IT FURTHER RESOLVED, That it is the consensus of this legislative body that the application **BE RECOMMENDED** for issuance.

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

MOTION CARRIED

(b) Agreement

Resolution #2006-12-368b
Moved by Stine
Seconded by Beltramini

WHEREAS, The City Council of the City of Troy deems it necessary to enter agreements with applicants for liquor licenses for the purpose of providing civil remedies to the City of Troy in the event licensees fail to adhere to Troy Codes and Ordinances;

THEREFORE, BE IT RESOLVED, That the City Council of the City of Troy hereby **APPROVES** an agreement with Kona Macadmamia, Inc., to transfer ownership of 2006 Class C licensed business, located in escrow at 819 E. Auburn Rochester Hills, MI 48307, Oakland County, from Whirly-Ball-Rochester L.L.C.; transfer location to 30 E. Big Beaver, Troy, MI 48084, Oakland County; requests a new SDM license to be held in conjunction; and requests a new official permit (food) and a new outdoor service area; and the Mayor and City Clerk are hereby **AUTHORIZED TO EXECUTE** the document, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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

MOTION CARRIED

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: Liquor Committee

(a) Mayoral Appointments – No Appointments

(b) City Council Appointments

Resolution #2006-12-369
Moved by Broomfield
Seconded by Beltramini

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

Liquor Committee

Appointed by Council (7) – 3 Year Terms

Clark Yuan (Student)

Term Expires 07/01/07

Yes: All-7

F-2 Re-Write of City Code, Chapter 65 – Taxicabs, Limousines and Drivers

Resolution #2006-12-370
Moved by Stine
Seconded by Lambert

RESOLVED, That the Troy City Code, Chapter 65 – Taxicab, Limousines and Drivers, be **AMENDED** by replacement in its entirety, as presented.

Yes: All-7

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings:

- a) Commercial Vehicle Appeal – 5933 Diamond – December 18, 2006
- b) Proposed Rezoning (File Number: Z 723) – Proposed Taco Bell Restaurant, West side of Dequindre, North of Long Lake, Section 12 – O-1 to B-2 – December 18, 2006
- c) Rezoning Application (File Number Z 180-B) – Proposed Binson’s Home Health Care Center, Northwest corner of Rochester and Marengo, Section 3 – R-1B to O-1 or R-1B to B-1 – December 18, 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) Parks and Recreation Advisory Board/Final – September 21, 2006
- b) Library Advisory Board/Final – October 12, 2006
- c) Board of Zoning Appeals/Final – October 17, 2006

Noted and Filed

J-2 Department Reports:

- a) City of Troy Monthly Financial Report – October 31, 2006
- b) Council Member Lambert’s Report from the NLC Annual Leadership Summit

Noted and Filed

J-3 Letters of Appreciation:

- a) Letter of Thanks to Officer Harrison from L. Wayne Creasman, Senior Connection, in Appreciation of the Informative and Professional Presentation
- b) Letter of Thanks to Officer Kaptur from Lee Gillett, ITT Technical Institute, Regarding the Outstanding Substance Abuse Presentation
- c) Letter of Appreciation to Mayor Schilling from Jon Howington, Macomb Community College, Regarding the Volunteer Efforts of Chief Craft and Officers of the Police Department

- d) Letter of Thanks to Chief Craft from Mary Huyck, Oakland County Jail Clinic, in Appreciation of the Professional, Informative and Entertaining Presentation by Officer Kaptur
Noted and Filed

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

- J-5 Calendar**
Noted and Filed

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- J-6 Communication from Information Technology Director Gert Paraskevin Regarding GIS Case Study**
Noted and Filed

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- J-7 Communication from Public Works Director Timothy Richnak Regarding Action Plan for New Routing Schedule for Refuse, Recyclables and Yard Waste**
Noted and Filed

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- J-8 Standard & Poor’s Report on AAA-Rated Credits in U.S. State & Local Government Finance – Available for Viewing at the City Clerk’s Office and the Troy Public Library**
Noted and Filed

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- J-9 Annual Audit Report – Available for Viewing at the City Clerk’s Office and the Troy Public Library**
Noted and Filed

STUDY ITEMS:

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- K-1 Council Responses to City Manager’s Questionnaire**

PUBLIC COMMENT: Address of “K” Items

CLOSED SESSION:

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- L-1 Closed Session: No Closed Session Requested**

The meeting **ADJOURNED** at 9:11 P.M.

Louise E. Schilling, Mayor

Tonni L. Bartholomew, MMC
City Clerk