

A Regular Meeting of the Troy City Council was held Monday, June 4, 2007, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:33 PM.

Father Joseph Cuic of St. Lucy Croatian Church gave the Invocation and the Pledge of Allegiance to the Flag was given.

ROLL CALL:

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

CERTIFICATES OF RECOGNITION:

A-1 Presentations:

- a) Senator John Pappageorge introduced members of St. Nicholas Greek Orthodox Church and provided a brief presentation regarding the upcoming Annual Opa! Fest scheduled for Friday, June 22nd through Sunday, June 24th.
- b) Michelle Hodges introduced students from the University of Michigan and Ross A. Davison, Team Leader, who gave a presentation about the UM/ULI Walkable Urbanism Strategic and Implementation project.
- c) County Commissioners Robert Gosselin and David Potts discussed various topics of interest relative to Oakland County to City Council and members of the audience.

CARRYOVER ITEMS:

B-1 No Carryover Items

PUBLIC HEARINGS:

C-1 Establishment of an Industrial Development District (IDD) for Kostal of America, Inc. – 350 Stephenson

The Mayor opened the Public Hearing for public comment.

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

Resolution #2007-06-168

Moved by Stine

Seconded by Fleming

RESOLVED, That Troy City Council hereby **ESTABLISHES** an Industrial Development District (IDD) for Kostal of America, Inc., for property known as 350 Stephenson, Troy, MI. 48083-1103, Parcel # 88-20-35-327-026, 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 Consideration to Grant an Industrial Facilities Exemption Certificate (IFEC) to Kostal of America, Inc. – 350 Stephenson

The Mayor opened the Public Hearing for public comment.

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

Resolution #2007-06-169

Moved by Stine

Seconded by Fleming

WHEREAS, After due notice and proper hearing, the City Council of the City of Troy on June 4, 2007, established an Industrial Development District (IDD) for property known as 350 Stephenson, Troy, MI. 48083-1103, Parcel # 88-20-35-327-026;

WHEREAS, An Application has been submitted by Kostal of America, Inc., for an Industrial Facilities Exemption Certificate (IFEC) for personal property at 350 Stephenson, Troy, MI. 48083-1103, for twelve (12) years; and

WHEREAS, After due and proper notice by the City Clerk, the City Council, on June 4, 2007, 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 Kostal of America, Inc., at 350 Stephenson, Troy, MI. 48083-1103 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, That Troy City Council has **FOUND THAT THE GRANTING** of an Industrial Facilities Exemption Certificate (IFEC) for Kostal of America, Inc., at 350 Stephenson, Troy, MI. 48083-1103, 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 Troy City Council hereby **APPROVES** the application for an Industrial Facilities Exemption Certificate (IFEC) for Kostal of America, Inc., at 350 Stephenson, Troy, MI. 48083-1103, Parcel #88-20-35-327-026, 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 Kostal of America, Inc., 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 Kostal of America, Inc., 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-722) – Northwest Corner of Maple and Thorncroft, East of Mapelawn, Section 29 – R-C to B-3

The Mayor opened the Public Hearing for public comment.

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

Resolution #2007-06-170

Moved by Howrylak

Seconded by Beltramini

RESOLVED, That the R-C to B-3 rezoning request, located on the northwest corner of Maple and Thorncroft, east of Mapelawn, in Section 29, part of parcel 88-20-29-426-033, being 3.18 acres in size, is described in the following legal description and illustrated on the **ATTACHED** sketch of survey drawing:

T2N, R11E, SE ¼ of Section 29

The south 540 ft. of Lot 12 of Mapelawn Industrial Park No. 2 (Liber 119, page 35, of Oakland County Plats). Containing ±3.18 ac. more or less, and subject to restrictions and easements of record;

BE IT FURTHER RESOLVED, The rezoning is **RECOMMENDED** by the Planning Commission; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **AMENDS** the City of Troy Zoning District Map from R-C to B-3, as requested.

Yes: All-7

C-4 Troy Downtown Development Authority's (TDDA's) Development Plan #6 and the Big Beaver Corridor Study

The Mayor opened the Public Hearing for public comment.

The Mayor closed the Public Hearing after receiving no comment from the petitioner and comment from the following members of the public:

Victor Lenivov – Oppose

Mary Ann Bernardi – Oppose

James Savage - Oppose

Resolution #2007-06-171

Moved by Beltramini

Seconded by Stine

WHEREAS, The City of Troy (the "City") as authorized by the provisions of Act 197, Public Acts of Michigan, 1975, as amended, has created a Downtown Development Authority;

WHEREAS, It is necessary, for the best interests of the public, to halt property value deterioration and increase property tax valuation where possible in the business district of the City of Troy, to eliminate the causes of such deterioration, and to promote economic growth;

WHEREAS, City of Troy Ordinance 78, designated a Downtown Development Authority, and Ordinance 80 created Development and Tax Increment Financing Plans pursuant to Public Act 197, as amended, has been adopted by the Troy City Council;

WHEREAS, The Troy Downtown Development Authority wishes to modify the Development Plan to include the implementation of the key concepts of the Big Beaver Corridor Plan;

WHEREAS, The Troy Downtown Development Authority has prepared Downtown Development Plan #6 and Tax Increment Financing Plan #6 incorporating the previous development plans and tax increment financing plans;

WHEREAS, The Troy Downtown Development Authority has requested the Troy City Council consider Development Plan #6 and Tax Increment Plan #6; and

WHEREAS, A public hearing has been published and posted in accordance with applicable local and state law as required by Act 197, as amended;

THEREFORE, BE IT RESOLVED, That Troy City Council **DETERMINES** that it is necessary and in the best interest of the public to maintain a Downtown Development Authority pursuant to Act 197, as amended, in order to halt property value deterioration and increase property tax valuation where possible in the business district of the City of Troy, to eliminate the causes of such deterioration, and to promote economic growth, and that Downtown Development Plan #6 and Tax Increment Financing Plan #6 constitute a public purpose, since they provide for the implementation of the key concepts of the Big Beaver Corridor Plan; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** the Downtown Development Plan #6 and **AMENDS** City of Troy Ordinance 80; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** the Tax Increment Financing Plan #6 and **AMENDS** City of Troy Ordinance 80; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** City Management to bind and incorporate Exhibit #2-*Big Beaver Corridor Study* and Exhibit #3-*Chesapeake Group Report* as part of the bound project document.

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

No: Howrylak

MOTION CARRIED**POSTPONED ITEMS:**

D-1 No Postponed Items**CONSENT AGENDA:**

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

Resolution #2007-06-172

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-9, which **SHALL BE CONSIDERED** after Consent Agenda (E) items, as printed.

Yes: All-7

E-2 Approval of City Council Minutes

Resolution #2007-06-172-E-2

RESOLVED, That the Minutes of the 7:30 PM Regular City Council Meeting of May 21, 2007 be **APPROVED** as submitted.

E-3 City of Troy Proclamation:

Resolution #2007-06-172-E-3a

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

- a) Boy Scout Troop 1702 – Celebrating 25 Years

E-4 Standard Purchasing Resolutions

- a) **Standard Purchasing Resolution 1: Award to Low Bidder – Pool Maintenance and Repair Services**

Resolution #2007-06-172-E-4a

RESOLVED, That Troy City Council hereby **AWARDS** a contract to furnish two-year requirements of pool maintenance and repairs for both indoor and outdoor pools at the Troy Family Aquatic Center and Community Center with two (2) one-year options to renew to the low bidder, B and B Pools and Spas of Livonia, MI, at rates contained in the bid tabulation opened March 27, 2007, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with a contract expiration of June 30, 2009; and

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

b) Standard Purchasing Resolution 1: Award to Low Bidder – Type ‘K’ Copper Tubing

Resolution #2007-06-172-E-4b

RESOLVED, That Troy City Council hereby **AWARDS** the contract to purchase Type “K” Copper Tubing to the low bidder SLC Meter Service, Inc. of Davisburg, MI, for an estimated total cost of \$79,170.00, at unit prices contained in the bid tabulation opened May 24, 2007, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

c) Standard Purchasing Resolution 3: Exercise Renewal Option – Major Street Pavement Marking Program

Resolution #2007-06-172-E-4c

WHEREAS, On August 1, 2005 two-year requirements of major street pavement marking with an option to renew for one additional year was awarded to the low bidder, P.K. Contracting, Inc. of Troy, MI (Resolution #2005-08-375-E-4b), and

WHEREAS, P.K. Contracting, Inc. has agreed to exercise the one-year option to renew under the same prices, terms, and conditions;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **EXERCISES** the option to renew the contract for one additional year to provide major street pavement marking with amended construction quantities with P.K. Contracting, Inc. of Troy, MI, under the same contract prices as the 2006/07 season to expire June 30, 2008.

d) Standard Purchasing Resolution 3: Exercise Renewal Option – Concrete Pavement Repair

Resolution #2007-06-172-E-4d

WHEREAS, On October 23, 2006 contracts to complete the concrete pavement repair program for 2006/07 with an option to renew for one (1) additional year was awarded to the three lowest bidders, Hard Rock Concrete, Inc. of Westland, Michigan for proposal A, A-1, Local Roads; Six-S, Inc. of Waterford, Michigan for proposal B – Major Roads; and Major Cement Company of Detroit, Michigan for proposal C – Industrial Roads at unit prices contained in the bid tabulation opened on October 10, 2006 (Resolution #2006-10-320-E4e); and

WHEREAS, All three contractors have agreed to exercise the one-year option to renew under the same prices, terms and conditions;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **EXERCISES** the option to renew the contracts for one additional year to provide concrete pavement repair for 2007/08 with amended construction quantities with Hard Rock Concrete, Inc., Six-S, Inc. and Major

Cement Company under the same contract prices, terms and conditions to expire on June 30, 2008, not to exceed budgetary limitations.

e) **Standard Purchasing Resolution 10: Travel Authorization and Approval to Expend Funds for Council Members' Travel Expenses – 109th Michigan Municipal League Convention**

Resolution #2007-06-172-E-4e

RESOLVED, That Troy City Council hereby **AUTHORIZES** City Council members to attend the 109th Michigan Municipal League Convention at the Grand Traverse Resort in Traverse City, Michigan from September 18-20, 2007 in accordance with the accounting procedures of the City of Troy.

E-5 Acceptance of Permanent Easements and Private Road Agreement from Alexander Homes, Inc., Fountain Park Troy Condominium Development –Section 14

Resolution #2007-06-172-E-5

RESOLVED, That Troy City Council hereby **ACCEPTS** three (3) permanent easements for sanitary sewer, water main, and emergency ingress/egress from property owner Alexander Homes, Inc., having Sidwell #88-20-14-351-084; and

BE IT FURTHER RESOLVED, That the Mayor and City Clerk are **AUTHORIZED** to execute the private road agreement on behalf of the City; and

BE IT FINALLY RESOLVED, That the City Clerk is hereby **DIRECTED** to record the three (3) permanent easements and private road agreement with the Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-6 Private Agreement for Walco Properties – Project No. 06.928.03

Resolution #2007-06-172-E-6

RESOLVED, That Troy City Council hereby **APPROVES** the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and WALCO Properties, LLC, for the installation of bituminous pavement, concrete approaches and concrete 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 Acceptance of Warranty Deed for Right of Way – William Beaumont Hospital, Section 1, Sidwell #88-20-01-427-001

Resolution #2007-06-172-E-7

RESOLVED, That Troy City Council hereby **ACCEPTS** the Warranty Deed from property owner William Beaumont Hospital, having Sidwell #88-20-01-427-001; and

BE IT FURTHER 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-8 Acceptance of Warranty Deed for Right of Way – Caswell Town Center PUD 5, Section 2, Sidwell #88-20-02-101-001

Resolution #2007-06-172-E-8

RESOLVED, That Troy City Council hereby **ACCEPTS** the Warranty Deed from property owner Joseph Petruzzello, as Trustee or his Successor Trustee(s) under Agreement dated October 27, 1999, having Sidwell #88-20-02-101-001; and

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

E-9 Karagiannakis and Garrett Family Partnership v. City of Troy, et. al.

Resolution

Moved by Howrylak

Seconded by Broomfield

RESOLVED, That Troy City Council hereby **AUTHORIZES** and **DIRECTS** the City Attorney to represent the City of Troy in any and all claims and damages in the matter of *Nick Karagiannakis and Leslie Karagiannakis, husband and wife, and Garrett Family Limited Partnership, a Michigan Limited Partnership v. City of Troy, et. al.*, (Oakland County Circuit Court Case No. 07-083014-CZ) and to retain any necessary expert witnesses to adequately represent the City.

Vote on Resolution to Postpone

Resolution #2007-06-173

Moved by Beltramini

Seconded by Stine

RESOLVED, That Troy City Council hereby **POSTPONES** agenda item *E-9 Karagiannakis and Garrett Family Partnership v. City of Troy, et. al* until the Regular City Council Meeting scheduled for Monday, June 18, 2007.

Yes: All-7

PUBLIC COMMENT: Limited to Items Not on the Agenda

REGULAR BUSINESS:

a) Mayoral Appointments: No Appointments Scheduled b) City Council Appointment: Board of Zoning Appeals

(a) Mayoral Appointments – No Appointments Scheduled

(b) City Council Appointment

Resolution
Moved by Broomfield
Seconded by Beltramini

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

Board of Zoning Appeals

Appointed by Council (7-Regular; 1-Alternate) – 3 Year Terms

Michael W. Bartnik

Unexpired Term 04/30/09

Resolution to Amend City Council Appointment: Board of Zoning Appeals

Resolution
Moved by Stine
Seconded by Lambert

RESOLVED, That Troy City Council hereby **AMENDS** the *Proposed Resolution – City Council Appointments to the Board of Zoning Appeals* to include the name of *Tom Krent* in the nominations for Board of Zoning Appeals member for the unexpired term of April 30, 2009.

Vote on Resolution to Postpone

Resolution #2007-06-174
Moved by Howrylak
Seconded by Broomfield

RESOLVED, That Troy City Council hereby **POSTPONES** the resolution and resolution to amend *(b) City Council Appointments-Board of Zoning Appeals* until the Regular City Council meeting scheduled for Monday, June 18, 2007.

Yes: All-7

F-2 Preliminary Site Condominium Review – Villas of Somerset Site Condominium, South Side of Big Beaver, East of Adams, Section 30 – R-1C

Resolution #2007-06-175

Moved by Stine

Seconded by Fleming

RESOLVED, That Troy City Council hereby **APPROVES** the preliminary site condominium 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 Villas of Somerset Site Condominium, located on the south side of Big Beaver, east of Adams, in Section 30, including 11 home sites, within the R-1C zoning district, being 5.1 acres in size.

Yes: All-7

F-3 Request from Walsh College to Use City of Troy 2007 Community Development Block Grant (CDBG) Funds

Resolution #2007-06-176

Moved by Stine

Seconded by Howrylak

WHEREAS, Walsh College has requested a portion of Community Development Block Grant funding allocated to the City of Troy for use in improving private facilities and, consequently, public drainage ways; and

WHEREAS, The City's allocation of Community Development Block Grant funds has been committed to programs and projects that meet the purposes and guidelines of the CDBG program as promulgated by the Department of Housing and Urban Development;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **DENIES** the allocation of \$25,000 of Community Development Block Grant funds to Walsh College, but **REQUESTS** that the City Manager and staff **ASSIST** Walsh College in other possible and relevant ways to ensure that the project is completed as proposed.

Yes: All-7

F-4 Scheduling a Special Meeting to Discuss Strategic Planning Initiatives

Resolution #2007-06-177

Moved by Beltramini

Seconded by Stine

RESOLVED, That Troy City Council hereby **SCHEDULES** a Special Meeting for the purpose of discussing strategic planning initiatives:

Monday, June 11, 2007 at 7:30 PM

in the Council Board Room of Troy City Hall, 500 W. Big Beaver, Troy, Michigan 48084.

Yes: All-7

F-5 Bid Waiver – Digital Recording of Sanitary Sewer Inspections

Resolution #2007-06-178

Moved by Lambert

Seconded by Stine

WHEREAS, On Monday, May 21, 2007, Troy City Council approved the upgrade of the sanitary sewer televising inspection equipment to Pearpoint, Inc. of Thousand Palms, CA, the manufacturer, at an estimated cost of \$45,866.00 (Resolution #2007-05-165); and

WHEREAS, Due to changes in video technology, the VHS based system has become obsolete and the City is seeking to capture inspections using digital video technology;

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council hereby **WAIVES** formal bidding procedures and hereby **APPROVES** a contract to purchase proprietary sanitary sewer televising inspection software from Pearpoint, Inc. of Thousand Palms, CA for an estimated total cost of \$19,700.00, with a yearly software maintenance fee of \$1,900.00; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** the contracts to purchase necessary hardware from Hewlett Packard and GTSI for an estimated total cost of \$8,466.00 as detailed in Appendix A, utilizing approved purchasing procedures.

Yes: All-7

F-6 Bid Waiver – Initial Issue Police Uniforms and Equipment

Resolution #2007-06-179

Moved by Lambert

Seconded by Beltramini

WHEREAS, On March 21, 2005, the City of Troy awarded a two-year contract to supply initial issue police uniforms and equipment for newly hired Police Department uniformed employees, with an option to renew for two (2) additional one-year periods to the lowest bidder meeting specifications, Metropolitan Uniform Company at an estimated cost of \$1,620.00 per employee, at unit prices contained on the bid tabulation dated February 25, 2005 (Resolution #2005-03-123-E11); and

WHEREAS, Metropolitan Uniform Company has agreed to keep costs for initial issue police uniforms and equipment at original bid prices from 2005;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **WAIVES** formal bidding procedures and hereby **APPROVES** a contract to purchase initial issue police uniforms and equipment for newly hired Police Department uniformed employees to Metropolitan Uniform Company at an estimated total cost of \$1,620.00 per employee, at unit prices detailed on the

bid tabulation for ITB-COT 05-02 to expire June 30, 2008, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7

F-7 Requested Salary Increase – City Attorney

Resolution

Moved by Howrylak

Seconded by Broomfield

RESOLVED, That the annual compensation of Council appointee Lori Grigg Bluhm, City Attorney, is **INCREASED** by 3%, **EFFECTIVE** January 1, 2007.

Vote on Resolution to Amend

Resolution #2007-06-180

Moved by Beltramini

Seconded by Stine

RESOLVED, That Troy City Council hereby **AMENDS** the resolution for agenda item *F-7 Requested Salary Increase – City Attorney* by **INSERTING** “RESOLVED, That Troy City Council hereby **APPROVES** the scheduling of a salary review for the City Attorney for the 2007-08 budget year after July 1, 2007.”

Yes: Stine, Schilling, Beltramini, Broomfield, Fleming

No: Lambert, Howrylak

MOTION CARRIED

Vote on Resolution to Separate Vote on Amendment and Main Motion

Resolution #2007-06-181

Moved by Howrylak

Seconded by Broomfield

RESOLVED, That Troy City Council hereby **SEPARATES** the vote for the Amendment and the Main Motion for agenda item *F-7 Requested Salary Increase – City Attorney*.

Yes: Broomfield, Fleming, Howrylak, Lambert

No: Stine, Schilling, Beltramini

MOTION CARRIED

Vote on Amendment

Resolution #2007-06-182

Moved by Beltramini

Seconded by Stine

RESOLVED, That Troy City Council hereby **APPROVES** the scheduling of a salary review for the City Attorney for the 2007-08 budget year after July 1, 2007.

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

MOTION CARRIED

Vote on Main Resolution

Resolution #2007-06-183
Moved by Howrylak
Seconded by Broomfield

RESOLVED, That the annual compensation of Council appointee Lori Grigg Bluhm, City Attorney, is **INCREASED** by 3%, **EFFECTIVE** January 1, 2007.

Yes: All-7

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings:

- a) Zoning Ordinance Text Amendment (File Number: ZOTA 207) – Articles IV and XXII – Adult Business Uses – June 18, 2007
Noted and Filed

G-2 Green Memorandums:

- a) Advisory Committee for Persons with Disabilities – Revision of Membership Requirements
b) Replacement of City Code Chapter 86 – Soil Erosion and Sedimentation Control
Noted and Filed

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

Council Member Stine discussed the issue of how to avoid and rectify blight. She indicated that she has received three phone calls over the weekend and one resident advised that he has lived in Troy since 1972 and has never seen the city look so shoddy. Council Member Stine believes that the city mowing of absentee homeowners, right-of-ways and detention ponds four times a summer is inadequate and the burden of the cost is on the taxpayers. Council Member Stine believes absentee homeowners, individual homeowners and homeowner associations must take on the responsibility of maintaining their properties and right-of-ways. She continued by stating that many of the homes are vacant and the lots are being neglected and subjecting the city to blight. She referred to the homes on Livernois and she believes they are a disgrace

and that the city has a responsibility to the community to address this issue and come up with a solution.

Mayor Schilling believes it is the responsibility of the city to be proactive and create a program contacting the homeowners and inform them that it is their responsibility to maintain their own rights-of-way and property.

Council Member Broomfield asked what steps are taken if the grass exceeds ten inches for properties where a home is vacant.

Brian Murphy, Assistant City Manager-Economic Development Services, explained that the city currently sends a notice and the property owner is given more than enough time to mow the property. If the property owner does not mow the property, then the city will mow the property at a cost to the homeowner. Mr. Murphy reminded Council that a blight presentation was brought forward before Council in February of 2006 and no changes were made to the ordinance at that time. He continued by stating that due to the change in the economic climate, the situation is escalating. He added that Oakland County is responsible for some areas, but they only mow two times per season and that the City then mows those areas also.

Council Member Lambert believes there is a lack of communication between the city and homeowners since the demise of COTHA. Council Member Lambert wondered if there is a way to create a new mechanism to create an organization similar to COTHA to help with some of these issues.

Mr. Murphy believes that if a group of residents were open to creating such an organization, that the city would be supportive.

REPORTS:

J-1 Minutes – Boards and Committees:

- a) Personnel Board/Final – June 5, 2006
- b) Historic Commission/Final – January 23, 2007
- c) Downtown Development Authority/Draft – April 18, 2007
- d) Troy Daze Festival Committee/Final – April 24, 2007
- e) Youth Council/Final – April 25, 2007
- f) Planning Commission/Draft – May 1, 2007
- g) Planning Commission/Final – May 1, 2007
- h) Building Code Board of Appeals/Draft – May 2, 2007
- i) Board of Zoning Appeals/Draft – May 15, 2007
- j) Troy Daze Festival Committee/Draft – May 22, 2007
- k) Youth Council/Draft – May 23, 2007

Noted and Filed

J-2 Department Reports: None Submitted

J-3 Letters of Appreciation:

- a) Letter of Appreciation from Mark A. Hackel – Office of the Sheriff – Macomb County to Chief Craft in Appreciation of Officer Fitzpatrick for Providing Them with Information for a SWAT Training Location

Noted and Filed

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

J-5 Calendar

Noted and Filed

J-6 Communication from City Assessor Nino Licari Regarding Council Comments from May 21, 2007 – Additional Panel and Security Concerns for Board of Review

Noted and Filed

STUDY ITEMS:

K-1 No Study Items Submitted

PUBLIC COMMENT: Address of “K” Items

CLOSED SESSION:

L-1 Karagiannakis and Garrett Family Partnership v. City of Troy, et. al.

Resolution #2007-06-184
Moved by Stine
Seconded by Beltramini

BE IT RESOLVED, That the City of Troy City Council **SHALL MEET** in Closed Session, as permitted by MCL 15.268 (e), Pending Litigation Karagiannakis and Garrett Family Partnership v. City of Troy, et. al.

Yes: All-7

The meeting **RECESSED** at 10:26 PM.

The meeting **RECONVENED** at 10:38 PM.

The meeting **ADJOURNED** at 10:47 PM.

Louise E. Schilling, Mayor

Tonni L. Bartholomew, MMC
City Clerk