

A Regular Meeting of the Troy City Council was held Monday, July 23, 2007, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:31 PM.

Pastor Randy Vinson 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
Mayor Pro Tem Cristina Broomfield (Absent)
Wade Fleming
Martin F. Howrylak
David A. Lambert
Jeanne M. Stine

Vote on Resolution to Excuse Council Member Broomfield

Resolution #2007-07-218
Moved by Lambert
Seconded by Stine

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of Council Member Broomfield at the Regular City Council and Closed Session meetings of July 23, 2007 due to being out of the county.

Yes: All-6
No: None
Absent: Broomfield

CERTIFICATES OF RECOGNITION:

A-1 No Presentations

CARRYOVER ITEMS:

B-1 No Carryover Items

PUBLIC HEARINGS:

C-1 Establishment of an Industrial Development District (IDD) for LMS North America – 5755 New King

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 #2007-07-219

Moved by Stine

Seconded by Fleming

RESOLVED, That Troy City Council hereby **ESTABLISHES** an Industrial Development District (IDD) for LMS North America for property known as 5755 New King, Troy, MI 48098, Parcel # 88-20-08-227-004 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: Beltramini, Fleming, Lambert, Stine, Schilling

No: Howrylak

Absent: Broomfield

MOTION CARRIED

C-2 Approval to Grant an Industrial Facilities Exemption Certificate (IFEC) to LMS North America – 5755 New King

The Mayor opened the Public Hearing for public comment.

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

Resolution #2007-07-220

Moved by Beltramini

Seconded by Stine

WHEREAS, After due notice and proper hearing, the Troy City Council on July 23, 2007, established an Industrial Development District (IDD) for property known as 5755 New King, Troy, MI. 48098, Parcel # 88-20-08-227-004;

WHEREAS, An Application has been submitted by LMS North America for an Industrial Facilities Exemption Certificate (IFEC) for personal property at 5755 New King, Troy, MI. 48098, for twelve (12) years; and

WHEREAS, After due and proper notice by the City Clerk, the Troy City Council, on, July 23, 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 LMS North America at 5755 New King, Troy, MI. 48098 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 LMS North America, at 5755 New King, Troy, MI 48098 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 LMS North America at 5755 New King, Troy, MI 48098, Parcel #88-20-08-227-004, 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 LMS North America, 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 LMS North America, 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: Fleming, Lambert, Stine, Schilling, Beltramini
No: Howrylak
Absent: Broomfield

MOTION CARRIED

C-3 Re-programming Community Development Block Grant (CDBG) Program Year 2004 Unexpended Funds

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

Resolution #2007-07-221
Moved by Stine
Seconded by Beltramini

WHEREAS, The City Council of the City of Troy, after conclusion of a Public Hearing on this date, July 23, 2007 has determined that program year 2004 unexpended funds of \$81,233.95 should be re-programmed from Sewer Benefit Fee (Special Assessment) for Charnwood Subdivision Area, Phase #1, Section 6, to Sewer Benefit Fee (Special Assessment) Charnwood Subdivision Area, Phase #2, Section 6; and

WHEREAS, The balance of Program Year 2004 Sewer Benefit Fee (Special Assessment) for Charnwood Subdivision Area, Phase #1, Section 6, unexpended funds in the amount of \$29,673.71 should be re-programmed to the Section 36 Park Improvement Project;

BE IT RESOLVED, That Troy City Council hereby **ADDS** Sewer Benefit Fee (Special Assessment) for Charnwood Subdivision Area, Phase #2, Section 6 and the Section 36 Park Improvement Project to the list of CDBG projects for 2004.

Yes: All-6
No: None
Absent: Broomfield

POSTPONED ITEMS:

D-1 No Postponed Items

CONSENT AGENDA:

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

Resolution #2007-07-222
Moved by Beltramini
Seconded by Lambert

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented.

Yes: All-6
No: None
Absent: Broomfield

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

E-2 Approval of City Council Minutes

Resolution #2007-07-222-E-2

RESOLVED, That the Minutes of the 7:30 PM Regular City Council Meeting of July 9, 2007 be **APPROVED** as amended.

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

E-4 Standard Purchasing Resolutions

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

Resolution #2007-07-222-E-4a

WHEREAS, The Troy Police Department has been a member agency of the Macomb Criminal Justice Training Consortium for five years;

WHEREAS, The Consortium provides a comprehensive and cost effective training protocol to the Police Department at a cost of \$160.00 per Officer, per year; and

WHEREAS, Membership allows the Police Department to send employees to many training classes at no additional cost or reduced rates, including the Macomb Criminal Justice Training Center's Basic Police Academy, and access to their firearms range and Firearms Training Simulator;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** a one-year membership renewal for fiscal year 2007 – 2008 with Macomb Community College for continued participation in the Criminal Justice Training Center Consortium at an estimated annual fee of \$21,280.00, and approval is hereby **GRANTED** to use all other training services provided through the Consortium membership on a reduced cost basis.

b) **Standard Purchasing Resolution 2 – Bid Award – Lowest Bidders Meeting Specifications – Troy Daze Tents**

Resolution #2007-07-222-E-4b

RESOLVED, That Troy City Council hereby **AWARDS** contracts to furnish and erect tents for the Troy Daze Festival to the lowest bidders meeting specifications, Dial Tent & Awning Co., Inc. of Saginaw, MI, and Ace Canvas & Tent of Detroit, MI for an estimated total cost of \$11,176.00 and \$5,340.00 respectfully, at unit prices contained in the price quote submitted July 2, 2007 and bid tabulation opened April 16, 2007, copies of which shall be **ATTACHED** to the original Minutes of this meeting; and

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

c) **Standard Purchasing Resolution 1 – Award to Low Bidder – Contract 07-6 Northfield Parkway Mill and Overlay**

Resolution #2007-07-222-E-4c

RESOLVED, That Troy City Council hereby **AWARDS** Contract No. 07-6, Northfield Parkway Mill and Overlay to Ajax Paving Industries, Inc., 830 Kirts Blvd., Suite 100, Troy, MI 48084, at an estimated total cost of \$557,674.26; 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 10% of the total project cost.

d) **Standard Purchasing Resolution 2: Bid Award – Lowest Bidder Meeting Specifications – Automobile, Light Truck, Farm, and Construction Equipment Replacement Parts**

Resolution #2007-07-222-E-4d

RESOLVED, That Troy City Council hereby **AWARDS** contracts to purchase three year (3) requirements of automobile, light truck, farm, and construction equipment replacement parts with an option to renew for three (3) additional years to the lowest bidders meeting specifications under Proposal A as follows, at prices and discounts contained in the bid tabulation opened May 10, 2007, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with a contract expiration of May 31, 2010:

Kirk's Automotive, Detroit, Michigan

Product Line	Primary/Secondary Vendor	Discount
Brakes: Bendix Pads, Shoes	Primary	Jobber (less) 10%
Wausau Plow Parts	Primary	Jobber (less) 5%
Western Plow Parts	Primary	Jobber (less) 5%
Brakes: A/C Delco	Secondary	Jobber (less) 10%
Brake Rotors – Bendix	Secondary	Jobber (less) 10%
Seals – National	Secondary	Jobber (less) 10%

Rowerdink Incorporated, Grand Rapids, Michigan

Product Line	Primary/Secondary Vendor	Discount
Brakes: A/C Delco	Primary	69% off List Price
Brake Rotors – Bendix	Primary	69% off List Price
Chevrolet/GM	Primary	50% to 67% off List Price
Brakes: Bendix Pads, Shoes	Secondary	69% off List Price

Terminal Supply Company, Troy, Michigan

Product Line	Primary/Secondary Vendor	Discount
Soundoff Signal	Primary	40% off Catalog
Truck Lite	Secondary	30% off Catalog
Wires & Terminals	Secondary	30% off Catalog

Coach & Motor Company, Clinton Township, Michigan

Product Line	Primary/Secondary Vendor	Discount
Batteries	Primary	Cost Plus 10%
GMC Medium Duty Truck	Primary	31% to 50% off List Price
Wiper Blades – Anco	Primary	50% to 68% off Catalog
Chevrolet/GM	Secondary	50% off List Price

Motor City Truck Sales, Livonia, Michigan

Product Line	Primary/Secondary Vendor	Discount
Caterpillar	Primary	Cost Plus 10%
Cummins	Primary	Cost Plus 10%
Detroit Diesel	Primary	Cost Plus 15%
Seals – National	Primary	Cost Plus 25%
Sterling Heavy Duty	Primary	Wholesale
Transmissions – Allison	Primary	Cost Plus 10%
Truck Lite	Primary	Wholesale
Ford	Secondary	Cost Plus 25%
Heavy Duty Brake Parts	Secondary	Cost Plus 25%

Start All Enterprises, Detroit, Michigan

Product Line	Primary/Secondary Vendor	Discount
Batteries	Secondary	10% off Catalog

Lubrication Specialists & Company / Amsoil, Superior, Wisconsin

Product Line	Primary/Secondary Vendor	Discount
Synthetic Oil	Primary	10% off Catalog

Great Lakes Truck & Trailer, Westland, Michigan

Product Line	Primary/Secondary Vendor	Discount
Heavy Duty Brake Parts	Primary	Jobber (less) 5%
Seals – National	Secondary	Jobber (less) 10%
Wiper Blades – Anco	Secondary	Jobber (less) 5%

Elder Ford, Troy, Michigan

Product Line	Primary/Secondary Vendor	Discount
Ford	Primary	34% off List Price

Shults Equipment, Inc, Ithaca, Michigan

Product Line	Primary/Secondary Vendor	Discount
Bosch Rexroth	Primary	Vendor Price Sheet
Kennametal Blades	Primary	Manufacturer List Price

Ivan Gandrud Chevrolet, Green Bay, Wisconsin

Product Line	Primary/Secondary Vendor	Discount
Dodge	Primary	25% off List Price
GMC Med. Duty Truck	Secondary	30% off List Price

Lacal Equipment Inc., Jackson Center, Ohio

Product Line	Primary/Secondary Vendor	Discount
Tymco Sweeper	Primary	29% off Tymco Price Sheet

Alert Emergency Equipment Group, Portland, Michigan

Product Line	Primary/Secondary Vendor	Discount
Go Rhino	Primary	15% off List Price
Soundoff Signal	Secondary	20% off List Price

Old Dominion Brush, Richmond, Virginia

Product Line	Primary/Secondary Vendor	Discount
Tymco Sweeper	Secondary	20% off Price Sheet

Electrical Terminal Service, Royal Oak, Michigan

Product Line	Primary/Secondary Vendor	Discount
Wires & Terminals	Primary	Jobber (less) 25%

John R Spring Service Inc., Troy, Michigan

Product Line	Primary/Secondary Vendor	Discount
Springs	Primary	Cost Plus 15%

BE IT FURTHER RESOLVED, That Troy City Council hereby **AWARDS** contracts for the following product lines to the lowest bidders meeting specifications under Proposal B as follows, at prices and discounts contained in the bid tabulation opened May 10, 2007, to commence May 7, 2008 and expire May 31, 2010:

Kirk's Automotive, Detroit, Michigan

Product Line	Primary/Secondary Vendor	Discount
Filters	Primary	Jobber (less) 50%
Weatherhead	Secondary	Jobber (less) 10%

Terminal Supply Company, Troy, Michigan

Product Line	Primary/Secondary Vendor	Discount
GE Bulbs	Primary	30% off Catalog
Weatherhead	Primary	20% off Catalog

Coach & Motor Company, Clinton Township, Michigan

Product Line	Primary/Secondary Vendor	Discount
Filters	Secondary	Cost Plus 10%
GE Bulbs	Secondary	Cost Plus 10%

Shults Equipment, Inc, Ithaca, Michigan

Product Line	Primary/Secondary Vendor	Discount
Root Plow Parts	Primary	Manufacturer List Price
Swenson Spreader	Primary	Manufacturer List Price

Jack Doheny Supplies, Inc., Northville, Michigan

Product Line	Primary/Secondary Vendor	Discount
Vactor	Primary	10% off List Price

E-5 Approval of Purchase Agreement, John R Road Improvements, Square Lake Road to South Boulevard, Project No. 02.204.5 – Parcel #34 and #35 – Sidwell #88-20-02-427-022 and #88-20-02-427-023 – Joseph N. Haddad, Manar Haddad and Beatrice Haddad

Resolution #2007-07-222-E-5

RESOLVED, That Troy City Council hereby **APPROVES** the Agreement to Purchase Realty for Public Purposes between Joseph N. Haddad, Manar Haddad and Beatrice Haddad, owners of property having Sidwell #88-20-02-427-022 and #88-20-02-427-023, and the City of Troy, for the acquisition of right-of-way for John R Road Improvements, Square Lake Road to South Boulevard in the amount of \$19,700.00, plus closing costs; and

BE IT FURTHER RESOLVED, That the Real Estate and Development Department is hereby **AUTHORIZED** to expend the necessary closing costs to complete this purchase according to the agreement; 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-6 Approval of Purchase Agreements and Acceptance of Regrading and Temporary Construction Permits, John R Road Improvements, Square Lake Road to South Boulevard, Project No. 02.204.5 – Parcels #39 and #40 – Sidwell #88-20-02-279-074 and #88-20-02-279-071 – Michael J. and Arlene Healy

Resolution #2007-07-222-E-6

RESOLVED, That Troy City Council hereby **APPROVES** the Agreements to Purchase Realty for Public Purposes between Michael J. and Arlene Healy, owners of property having Sidwell #88-20-02-279-074 and #88-20-02-279-071, and the City of Troy, for the acquisition of right-of-way for John R Road Improvements, Square Lake Road to South Boulevard in the amounts of \$19,500.00 and \$19,600.00, respectively, plus closing costs; and

BE IT FURTHER RESOLVED, That the Real Estate and Development Department is hereby **AUTHORIZED** to expend the necessary closing costs to complete these purchases according to the agreements; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **ACCEPTS** the Regrading and Temporary Construction Permits in the amounts of \$300.00 each from Michael J. and Arlene Healy, owners of property having Sidwell #88-20-02-279-074 and #88-20-02-279-071; and

BE IT FINALLY RESOLVED, That the City Clerk is hereby **DIRECTED** to record the Warranty Deeds and the Regrading and Temporary Construction Permits with the Oakland County Register of Deeds, copies of which shall be **ATTACHED** to the original Minutes of this meeting.

E-7 Private Agreement for Troy School District (Transportation Building) – Project No. 07.920.03

Resolution #2007-07-222-E-7

RESOLVED, That Troy City Council hereby **APPROVES** the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Troy School District for the installation of detention pond, water main, concrete approach and culverts at the Transportation Building 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-8 Private Agreement for Dequindre Road Taco Bell – Project No. 07.908.3

Resolution #2007-07-222-E-8

RESOLVED, That Troy City Council hereby **APPROVES** the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Sundance, Inc. for the installation of water main, underground detention system, concrete approach, curb and gutter, and 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-9 Approval of Purchase Agreement, John R Road Improvements, Square Lake Road to South Boulevard, Project No. 02.204.5 – Parcel #66 – Sidwell #88-20-01-151-002 – Russell W. Rush and Kimberly Jolley Rush

Resolution #2007-07-222-E-9

RESOLVED, That Troy City Council hereby **APPROVES** the Agreement to Purchase Realty for Public Purposes between Russell W. Rush and Kimberly Jolley Rush, owners of property having Sidwell #88-20-01-151-002, and the City of Troy, for the acquisition of right-of-way for John R Road Improvements, Square Lake Road to South Boulevard in the amount of \$54,950.00, plus closing costs; and

BE IT FURTHER RESOLVED, That the Real Estate and Development Department is hereby **AUTHORIZED** to expend the necessary closing costs to complete this purchase according to the agreement; 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.

PUBLIC COMMENT: Limited to Items Not on the Agenda

REGULAR BUSINESS:

**F-3 Approval of Street Name Change – Daley Street South of Big Beaver to Behr Drive
– No Action taken by City Council**

F-1 Appointments to Boards and Committees: a) Mayoral Appointments: No Appointments Scheduled b) City Council Appointments: Parks & Recreation Board c) City Council Appointments – Students: Cable Advisory Committee

(a) Mayoral Appointments – No Appointments Scheduled

(b) City Council Appointments

Resolution #2007-07-223b

Moved by Beltramini

Seconded by Lambert

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

Parks & Recreation Board

Appointed by Council (7 Regular) – 3 Year Terms (1-Troy School Board: 1-Troy Daze: 1-Adv. Committee for Sr. Citizens) – 1 Year Term

Gary Hauff (School Board Rep)

Term Expires 07/31/08

Yes: All-6

No: None

Absent: Broomfield

(c) City Council Appointments - Students

Resolution #2007-07-223c

Moved by Beltramini

Seconded by Lambert

RESOLVED, That Troy City Council hereby **APPOINTS** the following student to serve on the Boards and Committees as indicated:

Cable Advisory Committee

Appointed by Council - 1 Year Term

Chi Song

Term Expires 07/01/08

Yes: All-6
No: None
Absent: Broomfield

F-2 Bid Waiver – Pavement Seam and Fracture Sealing Program

Resolution #2007-07-224
Moved by Beltramini
Seconded by Stine

WHEREAS, On October 18, 2004, Troy City Council awarded a contract to provide for a pavement seam and fracture-sealing program with an option to renew for two (2) additional one-year periods, to the low bidder, Scodeller Construction, Inc. at unit prices contained in the bid tabulation opened September 29, 2004 (Resolution # 2004-10-546-E7);

WHEREAS, Both options to renew were exercised and approved by Troy City Council in September 2005 and 2006 under the same prices, terms and conditions as the original contract (Resolutions 2005-09-416-E4e and 2006-09-367-E4e respectively); and

WHEREAS, Scodeller Construction, Inc. has agreed to keep costs for the 2007/08 program at original bid prices from 2004;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **WAIVES** formal bidding procedures and **APPROVES** a contract to provide a pavement seam and fracture-sealing program to Scodeller Construction, Inc. under the same terms and conditions at unit prices contained in the bid tabulation for ITB-COT 04-40 to expire June 30, 2008, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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

MOTION CARRIED

F-4 Contract Addendum No. 1 – Contract 06-2, Sylvan Glen Golf Course Streambank Restoration Project

Resolution #2007-07-225
Moved by Stine
Seconded by Howrylak

RESOLVED, That Troy City Council hereby **APPROVES** Addendum No. 1 to Contract No. 06-2, Sylvan Glen Golf Course Streambank Restoration Project, in the amount of \$36,845.56 for work performed by Dan's Excavating, Inc. 12955 23 Mile Road, Shelby Township, MI 48315, and the revised total contract amount authorization is \$1,261,904.38 including the 10% overall contingency as per the original contract award resolution, and the \$36,845.56 amount for which Addendum No. 1 exceeds the 10% contingency on the Parks portion of the project.

Yes: All-6
No: None
Absent: Broomfield

F-5 Personnel Evaluation – City Attorney Lori Grigg Bluhm

Resolution #2007-07-226
Moved by Fleming
Seconded by Beltramini

The annual compensation of Council Appointee Lori Grigg Bluhm, City Attorney, is **INCREASED** by 1.8%, **EFFECTIVE** July 28, 2007.

Yes: All-6
No: None
Absent: Broomfield

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings:

- a. Zoning Ordinance Text Amendment (File Number: ZOTA 231) – Article XXVIII – Restaurants in the M-1 Light Industrial District – August 6, 2007
Noted and Filed

G-2 Green Memorandums:

- a. Proposed Revision to Chapter 85, Sign Ordinance – Subdivision Entranceway Signs
b. Proposed Smoking Lounge Ordinance
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 Council Comments Advanced

Mayor Schilling stated that she has personally enjoyed the various music endeavors taking place in the community. She added that residents have commented on the corporate sponsorships to help share the costs of the events. She is also pleased to see the residents taking advantage of the other amenities that the City offers such as the Aquatic Center and the Library.

Council Member Lambert recalled that the issue of City Council member absences was on the previous agenda and understands that illness or being absent from the community are the only two acceptable reasons for an excused absence.

City Clerk Tonni Bartholomew explained that the two reasons listed in the City Charter are an automatic excused absence. However, she further explained that any absence is excusable by a unanimous vote of City Council members.

As a follow-up question in regard to Mr. Savage's concerns about traffic signal timing, Council Member Lambert understands that any adjustments to the timing of the lights are made directly by the county.

Brian Murphy, Assistant City Manager, Economic Development Services replied that Mr. Savage raised this concern previously at the June 18th City Council meeting and after further investigation, staff determined that the timing at the intersection Mr. Savage referred to is more than adequate for pedestrian crossing. However, Mr. Murphy advised that staff will look into the matter further.

Council Member Stine asked if the report has been finalized on the gas main incident. Mr. Murphy replied that the report will be finalized and submitted at the next Regular City Council meeting.

In response to Mr. Lenivov's concerns, Council Member Lambert supports a City Charter revision that would allow a City Council member to retain their Council seat if they become a candidate for any City elective office. He then asked what would be the next step for possible placement on the November ballot.

City Attorney Lori Bluhm responded that if there is support for a Charter revision by a majority of City Council, the proposed revision would then be referred to the Charter Revision Committee for their review and recommendation to City Council

City Clerk Bartholomew added that the proposed ballot language must be filed with the County Clerk by August 26. She continued by stating that time is very tight because the ballot language must also be submitted to the Attorney General's office for their approval.

City Attorney Bluhm further explained that because the City of Troy now holds its local election with many other communities in odd year November elections, she is unsure about how many ballot questions will be submitted to the AG's office and how long the overall process will take.

Council Member Beltramini would still like City staff to move forward so that at the very least the paperwork will be complete for placement on the ballot for a future election.

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

Resolution #2007-07-227

Moved by Lambert

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 discuss and take action on an item that does not appear on the agenda.

Yes: All-6
No: None
Absent: Broomfield

Vote on Resolution to Refer Proposed Charter Amendment to the Charter Revision Committee

Resolution #2007-07-228
Moved by Lambert
Seconded by Stine

RESOLVED, That Troy City Council hereby **REFERS** a proposed revision to Section 6.2 (g) – Vacancies in Elective Office of the Troy City Charter to the Charter Revision Committee.

Yes: All-6
No: None
Absent: Broomfield

Council Member Stine shares Mr. Savage's concerns about the Opticom Phase Selectors traffic light system for emergency vehicles traveling through intersections and traffic being delayed for lengthy periods of time after the emergency vehicles are no longer in the intersection.

Chief Craft advised that all fire apparatus and ambulance service vehicles are equipped with the Opticom Phase Selectors system. In addition, he understands the Opticom Phase system is located at specific major intersections near all the fire stations. Chief Craft added that as part of the contract, they are required to test the system in the early morning and in the late evening hours to make certain it is functioning properly. Chief Craft is uncertain about how long the actual light delay is at the intersections equipped with the system. Chief Craft added that the Police Department has looked into equipping police vehicles with the system. However, because police vehicles travel at a higher rate of speed than fire vehicles, they decided against it.

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

Resolution #2007-07-229
Moved by Lambert
Seconded by Beltramini

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 discuss and take action by reconsidering Resolution #2007-07-205 which does not appear as an item on the agenda.

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

MOTION CARRIED**Vote on Resolution to Place Reconsideration of Resolution #2007-07-205 on a Future Agenda**

Resolution #2007-07-230

Moved by Beltramini

Seconded by Lambert

RESOLVED, That Troy City Council hereby **DIRECTS** City Administration to place Resolution #2007-07-205 for reconsideration at the next Regular City Council meeting where all seven City Council members are present.

Yes: All-6

No: None

Absent: Broomfield

REPORTS:**J-1 Minutes – Boards and Committees:**

- a. Liquor Advisory Committee/Final – March 12, 2007
- b. Historic District Commission/Final – March 20, 2007
- c. Historic Commission/Final – March 27, 2007
- d. Ethnic Issues Advisory Board/Final – May 8, 2007
- e. Ethnic Issues Advisory Board/Draft – June 5, 2007
- f. Civil Service Commission (Act 78)/Final – June 7, 2007
- g. Liquor Advisory Committee/Draft – June 11, 2007
- h. Building Code Board of Appeals/Final – June 13, 2007
- i. Employees' Retirement System Board of Trustees/Final – June 13, 2007
- j. Board of Zoning Appeals/Final – June 19, 2007
- k. Planning Commission Special/Study/Draft – June 26, 2007
- l. Planning Commission Special/Study/Final – June 26, 2007
- m. Planning Commission/Draft – July 10, 2007

Noted and Filed

J-2 Department Reports:

- a. Council Member Lambert's Travel Expense Report – NLC Community & Economic Development Steering Committee
- b. Building Department – Permits Issued During the Month of June, 2007
- c. Building Department – Permits Issued January through June, 2007
- d. Building Department – Permits Issued July, 2006 through June, 2007
- e. Finance Department – City Council Expense Report for June, 2007

Noted and Filed

J-3 Letters of Appreciation:

- a. Letter of Appreciation to Sergeant Dan Daniel from Craig W. Floyd, Chairman & CEO of the National Law Enforcement Officers Memorial Fund, Regarding Honor Guard Participation During Their 19th Annual Candlelight Vigil
- b. Letter to Mayor and Council from Catherine Buck, President of the Oakland County Clerks Association, Commending Tonni Bartholomew, Barbara Pallotta, Mike Leavitt, Troy Police Department and Troy Fire Department for Hosting the Michigan Association of Municipal Clerks Conference
- c. Letter of Thanks to Ann Blizzard from Justin Hooks, Alliance Mobile Health, Commending Lifeguard Staff at the Troy Aquatic Center
- d. Letter to Chief Craft from Father Stratton Dorozenski, St. Nicholas Greek Orthodox Church, Regarding the Assistance Received from Officers During the 14th Annual OPA Greek Festival
- e. Letter to Chief Craft from Circuit Court Judge Edward Sosnick in Appreciation of the Efforts and Commitment of Officer Breidenich on the SAVE Task Force
- f. Letter of Thanks from the Peitsch Family Regarding the Troy Aquatic Center and the Attentive Lifeguards

Noted and Filed

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

J-5 Calendar

Noted and Filed

J-6 Communication from Planning Director Mark Miller Regarding Zoning Ordinance Text Amendment (File Number ZOTA 232) – Big Beaver Overlay District

Noted and Filed

J-7 Communication from Director of Parks and Recreation Carol Anderson Regarding Troy Community Center Pass Holder Survey Results

Noted and Filed

STUDY ITEMS:

K-1 No Study Items Submitted

PUBLIC COMMENT: Address of “K” Items

CLOSED SESSION:

L-1 Closed Session – Performance Evaluation of the City Manager as Permitted by Council Resolution #2007-07-215b

The meeting **RECESSED** at 9:02 PM.

The meeting **RECONVENED** at 9:17 PM.

The meeting **ADJOURNED** at 10:17 PM.

Louise E. Schilling, Mayor

Tonni L. Bartholomew, MMC
City Clerk