

A Regular Meeting of the Troy City Council was held Monday, September 10, 2007, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:31 PM.

Pastor Tom Barbret of Lutheran Church of the Master 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 (Absent)
Martin F. Howrylak
David A. Lambert
Jeanne M. Stine

Vote on Resolution to Excuse Council Member Fleming

Resolution #2007-09-273
Moved by Broomfield
Seconded by Stine

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of Council Member Fleming at the Regular City Council meeting of Monday, September 17, 2007 due to being out of the county.

Yes: All-6
No: None
Absent: Fleming

CERTIFICATES OF RECOGNITION:

A-1 Presentations:

- a) Corinne Khederian, Director of District Affairs for State Senator John Pappageorge, introduced herself and offered assistance to the district on behalf of the Senator and his staff.
- b) On behalf of the City of Troy, Mayor Schilling presented a proclamation to Pastor Richard Peacock of First United Methodist Church and Ruth Hoppe of St. Elizabeth Ann Seton Catholic Church recognizing September 21, 2007 as *International Day of Peace*.
- c) On behalf of the City of Troy, Mayor Schilling presented a proclamation to Ann Comiskey of the Troy Community Coalition recognizing September 24, 2007 as *Family Day-A Day to Eat Dinner with Your Children*.
- d) Ann Comiskey and Barbara Garrett provided a presentation regarding the *Non-profit Network*.

CARRYOVER ITEMS:

B-1 No Carryover Items

PUBLIC HEARINGS:

C-1 Street Vacation (File Number SV-32-B) – Lincoln Drive, West of John R, South of Big Beaver, Zoned PUD #7, Section 26

The Mayor opened the Public Hearing for public comment.

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

Resolution #2007-09-274

Moved by Stine

Seconded by Howrylak

WHEREAS, A request has been received for the vacation of the 25-foot-wide and 260-foot long, unplatted street, located west of John R, south of Big Beaver Road;

WHEREAS, The properties which shall benefit from this requested vacation are parcels 88-20-26-200-023, 88-20-26-200-026, 88-20-26-200-073, all included within the parent property zoned PUD 7, in Section 26; and

WHEREAS, The Planning Commission recommended that this street vacation be granted with the retention of a temporary water main and natural gas line easement until such time that easements are executed for the relocated water main and natural gas line;

THEREFORE, BE IT RESOLVED, That Troy City Council **CONCURS** in the recommendations of the Planning Commission, and **VACATES** the street; and

BE IT FURTHER RESOLVED, That Troy City Council **TEMPORARILY RETAINS** easements for the water main and gas line within the vacated street, until such time that easements are executed for the relocated water main and natural gas line.

Yes: All-6

No: None

Absent: Fleming

POSTPONED ITEMS:

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

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

Resolution #2007-09-275
Moved by Beltramini
Seconded by Broomfield

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

Yes: All-6
No: None
Absent: Fleming

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

E-2 Approval of City Council Minutes

Resolution #2007-09-275-E-2

RESOLVED, That Troy City Council hereby **APPROVES** the Minutes of the 7:30 PM Regular City Council Meetings of August 20, 2007 as submitted and September 10, 2007 as placed on the table.

E-3 City of Troy Proclamations:

Resolution #2007-09-275-E-3

RESOLVED, That Troy City Council hereby **APPROVES** the following City of Troy Proclamations:

- a) Proclamation – *International Day of Peace* – September 21, 2007
 - b) Proclamation In Recognition of *Constitution Week* – September 17-23, 2007
 - c) Proclamation – *Family Day – A Day to Eat Dinner with Your Children* – September 24, 2007
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E-4 Standard Purchasing Resolutions – None Submitted

E-5 Private Agreement for Timbercrest Farms Site Condominiums – Project No. 07.901.3

Resolution #2007-09-275-E-5

RESOLVED, That Troy City Council hereby **APPROVES** the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Mayapple, LLC, for the installation of sanitary sewer, storm sewer, water main, paving, sidewalks, soil erosion and landscaping 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-6 Private Agreement for Bharatiya Temple Addition – Project No. 05.920.3

Resolution #2007-09-275-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 Bharatiya Temple, for the installation of water main, asphalt approach, aggregate base, concrete curb and gutter, concrete walkway and boardwalk 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.

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: Animal Control Appeal Board****(a) Mayoral Appointments - No Appointments****(b) City Council Appointments**

Resolution #2007-09-276

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:

Animal Control Appeal Board

Appointed by Council (5-Regular) – 3 Year Terms

Kathleen Melchert

Term Expires 09/30/2010

Yes: All-6

No: None

Absent: Fleming

F-2 Bid Waiver – Casualty and Property Insurance – Two (2) Year Renewal with the Michigan Municipal Risk Management Authority (MMRMA) for November 2007/2008 and November 2008/2009

Resolution #2007-09-277

Moved by Stine

Seconded by Beltramini

WHEREAS, On May 14, 2007, City Council authorized City Management to negotiate a new agreement for Casualty and Property Insurance with the Michigan Municipal Risk Management Authority (MMRMA) (Resolution #2007-05-142-E-10);

WHEREAS, The MMRMA has provided an exceptional offer of a two-year agreement under the same terms and conditions as the previous agreement;

WHEREAS, The agreement would include a \$308.00 premium increase in the first year (2007/2008), and a not to exceed 3% premium increase in the second year (2008/2009); and
WHEREAS, The MMRMA will issue a return on net assets check in the amount of \$44,683.00 to the City, if the City renews it's membership in the MMRMA;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **WAIVES** formal bidding procedures and the new agreement is hereby **EXERCISED** with the MMRMA to provide Casualty and Property Insurance for a premium of \$310,567.00 in 2007/2008, and a not to exceed premium of \$319,884.00 in 2008/2009; and

BE IT FINALLY RESOLVED, This contract also **INCLUDES** the maintenance of a positive loss fund balance of up to \$150,000.00 expiring November 7, 2009.

Yes: All-6
No: None
Absent: Fleming

F-3 Bid Waiver – Replacement of Two Police Canines

Resolution #2007-09-278
Moved by Howrylak
Seconded by Lambert

WHEREAS, Two police canines are coming out of service due to age and health issues by December 2007;

WHEREAS, The Troy Police Department has had a long and successful relationship with the Oakland Police Academy K9 Training Center, in which all dogs are given an extensive physical exam and guaranteed for placement;

WHEREAS, The Academy ensures the canines will have the proper temperament, drives necessary for police work, appropriate sociability, and ability to be properly trained; and

WHEREAS, One replacement dog will be pre-trained, the other “green” or non-trained, to be trained by an experienced handler in the Troy Police Department;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **WAIVES** formal bidding procedures and a contract to purchase two police canines from Oakland Police Academy of Auburn Hills, MI, is hereby **APPROVED** at an estimated cost of \$15,500.00.

Yes: All-6
 No: None
 Absent: Fleming

F-4 Bid Waiver – Lightning Strike Repairs

Resolution #2007-09-279
 Moved by Lambert
 Seconded by Beltramini

WHEREAS, Communication and access control is a required part of Police department operations;

WHEREAS, On June 27, 2007, lightning struck the radio communication tower, which caused a considerable amount of damage to the security gates equipment; and

WHEREAS, SimplexGrinnell provided the initial hardware and programmed the security system during construction and renovation of the Police and Fire building;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **WAIVES** formal bidding procedures and hereby **APPROVES** a contract to utilize the services of SimplexGrinnell of Farmington Hills, MI, in an effort to avoid corruption of the system programming to repair the gate intercoms and electrical wiring at an estimated total cost of \$15,260.00.

Yes: All-6
 No: None
 Absent: Fleming

F-5 Bid Waiver – Police Department Entry Level Testing Consortium

Resolution #2007-09-280
 Moved by Stine
 Seconded by Howrylak

WHEREAS, EMPCO, Inc. has been providing testing and hiring services for the City's entry level Police Officers for 11 years; and

WHEREAS, EMPCO meets departmental needs, complies with Act 78 Commission requirements, purchased all the Michigan Municipal League's testing services and has proven to be fair and impartial;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **WAIVES** formal bidding procedures and a contract to provide hiring services for entry level police officers is hereby **APPROVED** with EMPCO's Metro Police Testing Consortium at the following unit prices:

Candidates 1-5	\$2,250.00
Candidates 6-10	\$1,600.00
Candidates 11-20	\$1,000.00
Candidates 21 and above	\$ 200.00

BE IT FINALLY RESOLVED, That the City Manager and Human Resources Director are hereby **AUTHORIZED** to execute this contract with EMPCO, Inc. when in acceptable form, which shall remain in effect for a period of two years from the date of certification of the eligibility list by the Act 78 Commission.

Yes: All-6
No: None
Absent: Fleming

F-6 Scheduling a Special Meeting with the Richardson Development Group to Discuss the Pavilions of Troy Project

Resolution #2007-09-281
Moved by Stine
Seconded by Howrylak

RESOLVED, That a special meeting is **SCHEDULED** for the purpose of discussing the Pavilions of Troy project on Monday, September 24, 2007 at 7:30 PM, in the Council Board Room of Troy City Hall, 500 W. Big Beaver, Troy, Michigan 48084.

Yes: All-6
No: None
Absent: Fleming

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings: None Submitted

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 Advanced

COUNCIL COMMENTS:

Mayor Schilling noted that City Council approved the proclamation recognizing September 17-23 as *Constitution Week*. She continued by stating that although the City of Troy did not have a formal celebration, she believes *Constitution Week* is significant this year in that it is the Constitution's 220th anniversary. Mayor Schilling believes *Constitution Week* provides a historic opportunity for Americans to learn about the rights, privileges and responsibilities associated with United States citizenship. In addition, the Mayor believes this event is significant in that it coincides with the swearing-in ceremonies held at Troy Daze for newly naturalized citizens. Mayor Schilling also recognized and thanked Mayor Pro Tem Broomfield for participating in the Troy Daze event on her behalf.

Mayor Schilling reported that although the numbers are not in officially, that Troy Daze appears to have been a huge success.

Council Member Beltramini recognized City Attorney Lori Bluhm's involvement as one of seven attorney's selected state wide to comment on the eminent domain constitutional amendment and what legislation must be developed to make it workable. She added that City Attorney Bluhm was the only attorney on the panel that was employed only by a city.

As a further point of information, Council Member Beltramini advised that the SEMCOG Oakland Outreach meeting will be held on Tuesday, September 25th at the Executive Office Building.

REPORTS:

J-1 Minutes – Boards and Committees:

- a) Animal Control Appeal Board/Final – February 14, 2007
 - b) Election Commission/Final – April 2, 2007
 - c) Historic District Commission/Final – June 19, 2007
 - d) Historic District Commission/Final – June 26, 2007
 - e) Historic District Commission/Final – July 17, 2007
 - f) Advisory Committee for Persons with Disabilities/Draft – August 1, 2007
 - g) Advisory Committee for Persons with Disabilities/Final – August 1, 2007
 - h) Historic District Study Committee/Final – August 7, 2007
 - i) Library Advisory Board/Final – August 9, 2007
 - j) Planning Commission Special/Study/Draft – August 22, 2007
 - k) Planning Commission Special/Study/Draft – August 28, 2007
 - l) Animal Control Appeal Board/Draft – September 5, 2007
 - m) Election Commission/Draft – September 12, 2007
- Noted and Filed

J-2 Department Reports:

- a) Building Department – Permits Issued During the Month of August, 2007
 - b) Purchasing Department – Final Reporting – BidNet On-Line Auction and Mid-Thumb Auctioneering Services – August, 2007
- Noted and Filed

J-3 Letters of Appreciation:

- a) Letter of Thanks to Cindy Stewart from Garden Award Winner Doug Bauer
- Noted and Filed

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

Noted and Filed

J-5 Calendar

Noted and Filed

STUDY ITEMS:

K-1 No Study Items Submitted

PUBLIC COMMENT: Address of "K" Items

CLOSED SESSION:

L-1 Closed Session: No Closed Session Requested

The meeting **ADJOURNED** at 8:11 PM.

Louise E. Schilling, Mayor

Tonni L. Bartholomew, MMC
City Clerk