

Minutes

A-1

Regular Meeting – February 7, 2000

TABLED ITEMSBid Extension – One-Year Requirement of Asphalt Paving Material

D-1

Suggested Resolution

Moved by:

Seconded by:

WHEREAS, on April 20, 1998, contracts were awarded to Barrett Paving Materials, Inc., and Midland Contracting Company for asphalt paving materials (Resolution #98-220) and the contracts were extended March 29, 1999, for an additional year (Resolution #99-143-E-5a); and

WHEREAS, both vendors have again agreed to extend the contract for an additional one year under the same prices, terms and conditions; and

WHEREAS, it is the determination of the City Manager and City Council of the City of Troy that no benefit would result for the City to solicit additional sealed bids;

NOW, THEREFORE, BE IT RESOLVED, that bidding procedures are hereby waived and the contracts with Barrett Paving Materials, Inc., and Midland Contracting Company for asphalt paving materials are hereby extended based upon the same terms and conditions through April 30, 2001.

Yes:

No:

CONSENT AGENDA

**The Consent Agenda includes items of a routine nature and will be approved with one motion. That motion will approve the recommended action for each item on the Consent Agenda. Any Council Member may remove an item from the Consent Agenda and have it considered as a separate item. A member of the audience who wishes to speak in opposition to the recommended action for any given Consent Agenda item may do so with the approval of a majority vote of City Council. Any item so removed from the Consent Agenda shall be considered after other items on the consent portion of the agenda have been heard. (Rules of Procedure for the City Council, Article 10, as amended April 12, 1999.)**

Approval of Consent Agenda

E-1

Suggested Resolution

Moved by:

Seconded by:

RESOLVED, that all items as presented on the Consent Agenda are hereby approved

as presented with the exception of Item(s) \_\_\_\_\_, which shall be considered after Consent Agenda (E) items, as printed.

Yes:

No:

**Approval of Contracts for the Installation of Municipal Improvements (Private Agreement): (a) St. Elizabeth Ann Seton, 390 E. Square Lake Road, Project No. 99.939.3; (b) Troy Towne Center, Project No. 98.939.3** **E-2**

---

**(a) St. Elizabeth Ann Seton**

Suggested Resolution

RESOLVED, that the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and St. Elizabeth Ann Seton Church is hereby approved for the installation of water main, storm sewer and parking at 390 E. Square Lake, 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.

**(b) Troy Towne Center, Project No. 98.939.3**

Suggested Resolution

RESOLVED, that the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Grand Sakwa is hereby approved for the mass balancing of the site, 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.

**Approval of Service Agreement with Troy Medi-Go** **E-3**

---

Suggested Resolution

RESOLVED, that the Agreement with Troy Medi-Go regarding vehicle service is hereby approved, the Mayor and City Clerk are authorized to execute the documents, and a copy shall be attached to the original minutes of this meeting.

**Bid Awards: (a) Turf Vacuum; (b) Fire Protection Equipment; (c) Tennis Court Lighting** **E-4**

---

Suggested Resolution

**Approval of Placement of Sign – 500 West Big Beaver – Boys & Girls Club of Troy** **E-5**

---

Suggested Resolution

RESOLVED, that the request from the Boys & Girls Club of Troy to permit placement of one banner at City Hall, 500 West Big Beaver, is hereby approved from March 4 through March 10, 2000, in conjunction with their annual Taste of Troy event and for

August 1 through August 7, 2000, for the Somerset Classic Race, all in accordance with Chapter 78, Section 14.01 (2).

---

**Set Study Meeting for March 13, 2000**

**E-6**

This meeting is scheduled to discuss the RFP for first responders for medical emergencies and any other items that may be presented by administration.

Suggested Resolution

RESOLVED, that a Study Session is hereby established for Monday, March 13, 2000, at 7:00 p.m. in the Lower Level Conference Room at City Hall.

---

**Bid Extension - One-Year Requirements of Aggregates**

**E-7**

Suggested Resolution

WHEREAS, one-year contracts with an option to renew for one additional year to provide aggregates were awarded to low bidders, Richmond Transport, Tri-City Aggregates, Inc., Edward C. Levy Company, and Williams Trucking Service, Inc. (Resolution #99-312); and

WHEREAS, Richmond Transport, Tri-City Aggregates, Inc., and Edward C. Levy Company have agreed to the one-year renewal option; and

WHEREAS, Williams Trucking Service does not wish to renew its contract; and

WHEREAS, the Purchasing Department conducted a market survey and it is the determination of the City Manager and City Council of the City of Troy that no benefit would result to the City to solicit additional sealed bids;

NOW, THEREFORE, BE IT RESOLVED, that the option to renew the contracts to provide aggregates for an additional one year to Richmond Transport, Tri-City Aggregates, Inc., and Edward C. Levy Company are hereby approved and will expire April 30, 2001.

**REGULAR BUSINESS**

---

**Waiver of Bid – Portable Radio Equipment Repair**

**F-1**

Suggested Resolution

Moved by:

Seconded by:

WHEREAS, on March 21, 1988 bids were received for a two-year contract with an option to renew for an additional two years for the repair of portable radios; and

WHEREAS, a contract was awarded to James Turner at a cost of \$30 per hour (Council Resolution #88-332); and

WHEREAS, the contract to James Turner was extended under the same terms and conditions through May, 1999, by Council Resolutions #90-508 and #92-481; administratively for an amount less than \$5,000 for years 1995 and 1996, and Council Resolutions #96-488, #98-366-C-21, and #99-143-E-4a; and

WHEREAS, James Turner has again agreed to extend the contract for an additional year under the same terms and conditions; and

WHEREAS, it is the recommendation of the City staff that the contract be extended due to his exceptional service and close proximity to City departments for repairs;

NOW THEREFORE, BE IT RESOLVED, that the contract with James Turner for repair of portable radios is hereby extended under the same terms and conditions through May 31, 2001, at the original labor cost of \$30 an hour plus the cost of parts.

Yes:

No:

**Approval of Telecommunications Agreement - NEXTLINK, Michigan, Inc.** **F-2**

Suggested Resolution

Moved by:

Seconded by:

RESOLVED, that the Right-of-Way Agreement between the City of Troy and the NEXTLINK, Michigan, Inc., is hereby approved, the Mayor and City Clerk are authorized to execute the documents, and a copy shall be attached to the original minutes of this meeting.

Yes:

No:

**Closed Session** **F-3**

Suggested Resolution

Moved by:

Seconded by:

RESOLVED, that the City Council of the City of Troy shall meet in Closed Session as permitted by State Statute MCLA 15.268, Sections 8 (a), (e) (Grand Sakwa) and (h) (material exempt from discussion or disclosure under the Michigan Freedom of Information Act), after adjournment of this meeting.

Yes:

No:

**Contract Renewal – Landscaping Services** **F-4**

Suggested Resolution

Moved by:

Seconded by:

WHEREAS , on May 4, 1998, a one-year contract with three - one year options to renew the contract for Landscape Maintenance Services was awarded to the low bidder, Torre & Bruglio, at an estimated cost of \$143,240.15 plus an additional \$7,000 to cover the continued fertilization of the flowering trees in accordance with unit prices contained in the bid tabulation opened April 22, 1998 (Resolution #98-248); and

WHEREAS, Torre & Bruglio, agreed to renew the contract for an additional year and the option expiring May 4, 2000, was approved (Resolution #99-143-E-5c); and

WHEREAS, Torre & Bruglio, has again agreed to renew the contract for the second of the three-year renewals expiring May 4, 2001; and

WHEREAS, a market survey was not conducted by the City of Troy Purchasing Department due to the satisfaction level with the services provided and the cost differential between Torre & Bruglio and the only other bidder; and

WHEREAS, it is the determination of the City Manager and City Council of the City of Troy that no benefit would result for the City to solicit additional sealed bids;

NOW, THEREFORE, BE IT RESOLVED, that the contract with Torre & Bruglio to provide Landscape Maintenance Services for the Civic Center Complex and the DDA is hereby extended under the same contract terms and conditions through May 4, 2001, at an estimated total cost of \$143,240.15 in accordance with unit prices contained in the bid tabulation dated April 22, 1998, and the addition of eight (8) acres that were approved in 1999 for the medians on Big Beaver Road from I-75 to Rochester Rd. at a cost per acre of \$5,500 for an estimated annual total cost of \$44,000 which reflects a reduced acreage cost due to an absence of irrigation and a corresponding reduction in the frequency of turf mowing;

BE IT FURTHER RESOLVED, that the contract language clarification requested by Torre & Bruglio regarding irrigation repairs is hereby approved.

Yes:

No:

**Approval of Hubbell, Roth & Clark, Inc., for Consultant Services for Preliminary Engineering Services for Big Beaver, Livernois to Rochester, Project No. 99.207.5**

**F-5**

**(a) Approval of Selection of Hubbell, Roth & Clark, Inc., to perform Preliminary Engineering Services for Big Beaver, Livernois to Rochester, Project No. 99.207.5**

Suggested Resolution

Moved by:

Seconded by:

RESOLVED, that the selection of Hubbell, Roth & Clark, Inc., in accordance with the Michigan Department of Transportation Consultant Selection process, as outlined in the memorandum dated February 14, 2000, for Preliminary Engineering for Big Beaver,

Livernois to Rochester, Project No. 99.207.5, is hereby approved.

Yes: No:

**(b) Approval of Contract between City of Troy and Hubbell, Roth & Clark, Inc. – Preliminary Engineering, Big Beaver, Livernois to Rochester, Project No. 99.207.5**

Suggested Resolution

Moved by: Seconded by:

RESOLVED, that the Preliminary Engineering Agreement between Hubbell, Roth and Clark, Inc., and the City of Troy for consultant services for Preliminary Engineering for Big Beaver improvements from Livernois to Rochester, Project No. 99.207.5, is hereby approved at an estimated cost to the City of Troy not to exceed \$499,110.90, 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.

Yes: No:

**Award of Bid Hauling Contract**

**F-6**

Suggested Resolution

Moved by: Seconded by:

RESOLVED, that a one-year contract with an option to renew for one additional year to provide hauling and disposal of dirt and debris from the DPW Yard is hereby awarded to the following bidders:

<u>Item</u>	<u>Estimated Qty (tons)</u>	<u>Description</u>	<u>Unit Price</u>
<u>A &amp; B Trucking, Inc. (Low Bidder)</u>			
A.	4,000	Broken concrete with and without wire, Possibly mixed with dirt	\$4.00
B.	500	Broken asphalt possibly mixed with fill dirt	\$4.00
C.	10,500	Fill Dirt, material excavated from water and sewer repairs, as well as ditching operations. Material may include stumps, logs, culverts, etc.	\$4.00

Republic Waste Services Of Michigan (Lowest Acceptable Bidder)

D.	2,000	Catch basin sludge and street sweepings	\$14.50
----	-------	---	---------

contingent upon contractor submission of properly executed bid and contract

documents, including bonds, insurance certificates and all other specified requirements.

Yes: No:

**Approval of Retirement Plan for Elected Officials** F-7

Suggested Resolution

Moved by: Seconded by:

BE IT ORDAINED, that Ordinance No. \_\_\_\_\_, to adopt the City of Troy Retirement Plan for Elected Officials, is hereby approved, and a copy shall be attached to and made a part of the original minutes of this meeting.

Yes: No:

**Introduction of Franchise Agreement with Nordic Electric, L.L.C.** F-8

Suggested Resolution

Moved by: Seconded by:

RESOLVED, that an Ordinance granting a limited electric franchise to supply electric power to Nordic Electric, L.L.C., is hereby introduced to the public, will be available for inspection and copying at the City Clerk’s office for 30 days and will appear for City Council action on the Agenda of April 11, 2000.

Yes: No:

**Introduction of Franchise Agreement with DTE Energy Marketing, Inc.** F-9

Suggested Resolution

Moved by: Seconded by:

RESOLVED, that an Ordinance granting a limited electric franchise to supply electric power to DTE Energy Marketing, Inc., is hereby introduced to the public, will be available for inspection and copying at the City Clerk’s office for 30 days and will appear for City Council action on the Agenda of April 11, 2000.

Yes: No:

**Request for Transfer of Employment – Textron Automotive** F-10

Suggested Resolution

Moved by:

Seconded by:

RESOLVED, that the Troy City Council hereby grants a transfer of employment to Textron Automotive Company for purposes of meeting eligibility requirements for MEGA tax credits that will result in the relocation of eight employees from its leased facility at 750 Stephenson Highway to its new technical center.

Yes:

No:

**Award of Cooperative Bid - Utility Bill Printing**

**F-11**

Suggested Resolution

Moved by:

Seconded by:

WHEREAS, Waterford Township awarded a request for proposal to Lasertec for a complete laser printing program to handle their water/sewer bills; and

WHEREAS, Waterford Township, as a member of the Tri-County Purchasing Cooperative, and Lasertec, the awarded bidder, have agreed to extend the entire program for the set-up, data transmission, laser printing, folding, inserting, metering and mailing of the water/sewer bills based upon the similarity between the bill printing needs of the two entities; and

WHEREAS, it is the determination of the City Manager and City Council of the City of Troy that no benefit would result for the City to solicit additional sealed bids;

NOW, THEREFORE, BE IT RESOLVED, that the request for proposal for water bill printing as submitted by Lasertec is hereby approved for three years at an estimated cost of \$39,159.25 for the first year and \$38,559.25 for years two and three; and

BE IT FURTHER RESOLVED, that the reply envelope added to the contract after the initial award is hereby authorized at a cost of \$13.55/ M for the first year. The re-order for years two and three is subject to the terms and conditions established which may include a price increase, dependent upon paper prices at the time of ordering.

Yes:

No:

**Sale of Remnant Parcel – Section 27 – Rochester 75 Development Company, L.L.C**

**F-12**

Suggested Resolution

Moved by:

Seconded by:

RESOLVED, that the City Council hereby approves the sale of the remnant parcel described as part of Sidwell #88-20-27-201-047 under the Remnant Parcel Guidelines,

subject to the terms and conditions of the Purchase Agreement, a copy of which shall be attached to and made a part of the original minutes of this meeting, and the Mayor and Clerk are authorized to execute the documents.

Yes:

No:

---

**Request for Approval of Purchase Agreement – Open Space and Park Land – Sidwell #88-20-24-100-025** **F-13**

---

Suggested Resolution

Moved by:

Seconded by:

RESOLVED, that the Agreement to Purchase Realty for Public Purposes between the City of Troy and Robert Samel, having Sidwell #88-20-24-100-025, for the acquisition of open space and park land, is hereby approved; and

BE IT FURTHER RESOLVED, that authorization is hereby granted to purchase property referenced in the Agreements to Purchase Realty for Public Purposes referenced above in the amount of \$410,000.00, plus closing costs.

Yes:

No:

---

**Resolutions Regarding Michigan Municipal League's "Let Local Votes Count" Home Rule Petition Drive** **F-14**

---

**(a) Resolution as Requested by the Michigan Municipal League**

Suggested Resolution

Moved by:

Seconded by:

WHEREAS, the City of Troy, like other local governments across Michigan, is empowered to enact and enforce policies, ordinances and contracts to maintain and enhance the health, safety and welfare of local residents; and

WHEREAS, historically, the City of Troy, and other municipalities throughout Michigan have exercised home rule decision making authority to address the wishes and desires of local residents in a manner that reflects their local values; and

WHEREAS, recent actions by the State Legislature to restrict, preempt or override municipal policies, ordinances and contracts has sharply eroded municipal home rule authority; and

WHEREAS, the Michigan Municipal League has proposed an amendment to the Michigan Constitution to require a 2/3 vote of each chamber of the Michigan Legislature on any legislative bill that seeks to restrict or preempt the powers and authorities of cities, villages, townships, counties and municipal authorities under home rule; and

WHEREAS, the MML's "Let Local Votes Count" campaign is gathering the signatures of at least 302,711 registered Michigan voters to place the proposed Constitutional Amendment on the November 7 state-wide election ballot, and

WHEREAS, recent polls indicate a majority of Michigan voters would support a constitutional amendment to limit state intervention in local governance.

NOW, THEREFORE, BE IT RESOLVED that the Troy City Council, hereby, endorses the "Let Local Votes Count" ballot initiative of the Michigan Municipal League and will encourage the citizens of Troy to sign the petitions to place the proposal on the ballot.

BE IT FURTHER RESOLVED that a true copy of this resolution be transmitted to State Senator Shirley Johnson, State Representatives John Pappageorge and Robert Gosselin, and the State and Federal Affairs Division of the Michigan Municipal League.

Yes:

No:

**(b) As Requested by City Management**

Moved by:

Seconded by:

WHEREAS, the initiative proposed by the Michigan Municipal League will advocate the right for the City of Troy and other local units of government to choose their own laws and ordinances, or home rule; and

WHEREAS, recent polls indicate a majority of Michigan voters would overwhelmingly support a constitutional amendment to limit state intervention in local governance; and

WHEREAS, the economic vitality of the City of Troy and other local units of government change over time. Conditions that affect the City of Troy and other municipalities cannot be anticipated nor quickly responded to by state government; and

WHEREAS, the Troy City Council members and other local government officials throughout Michigan are closer to the people who elected them. They work, eat and socialize in the same places as their constituents and know what is best for their own community; and

WHEREAS, the State should not enact blanket legislation that will not work for every local unit of government since "one solution" does not fit all local units when it comes to laws and ordinances regarding such issues as liquor laws, signage regulations, and planning and zoning ordinances; and

WHEREAS, laws and ordinances should be created locally to reflect the needs of a particular community. Local units of government are more responsive and are more accountable to constituents, especially grass root neighborhood groups, that demand immediate action to resolve problems as they arise.

NOW, THEREFORE BE IT RESOLVED, that the Troy City Council hereby endorse the proposed ballot initiative of the Michigan Municipal League and will encourage the

citizens of Troy to sign the petitions to place the proposal on the ballot.

BE IT FURTHER RESOLVED, that the Troy City Council invite our State Senator Shirley Johnson and State Representatives John Pappageorge and Robert Gosselin to a City Council Meeting on \_\_\_\_\_ to address this issue and articulate their views for the citizens of Troy whom they represent.

Yes:

No:

**COUNCIL COMMENTS**

**COUNCIL REFERRALS**

**VISITORS**

Any person not a member of the Council may address the Council with the permission of the Mayor, after clearly stating the nature of his/her inquiry. Any such matter may be deferred to another time or referred for study and recommendation upon the request of any one Council Member except that by a majority vote of the council Members elect, said matter may be acted upon immediately. The Mayor may require that such inquiries or comments be heard at such time as the related subject may appear on the prepared Agenda. No person not a member of the Council shall be allowed to speak more than twice or longer than five (5) minutes on any question, unless so permitted by the Chair. The Council may waive the requirements of this section by a majority of the Council Members elect. (*Rules of Procedure for the City Council, Article 12, as amended April 12, 1999*).

**REPORTS AND COMMUNICATIONS**

**Council Referrals** **G-1**

---

**Minutes of Boards and Committees** **G-2**

---

- Charter Revision Committee Meeting.....January 5, 2000
- Parks and Recreation Advisory Board Meeting.....January 13, 2000
- Troy School District Board Meeting.....January 18, 2000
- Troy Daze Meeting.....January 25, 2000
- Building Code Board of Appeals Meeting.....February 2, 2000
- Employees' Retirement System Board  
of Trustees Meeting.....February 9, 2000

**Department Reports** **G-3**

---

Monthly Financial Report – January 31, 2000

**Announcements of Public Hearings:** **G-4**

---

---

<b>Proposed Proclamations: In Recognition of Louise Ryberg on the Occasion of Her 100<sup>th</sup> Birthday</b>	<b>G-5</b>
<b>Troy Medi – Go Report for January 2000</b>	<b>G-6</b>
<b>Communication from Public Works Director William Need – Proposed Major Road Entrance Signs</b>	<b>G-7</b>
<b>Communication from City Manager John Szerlag - Thanking Troy Resident Adele Fabrykowski for a Donation to Troy Medi-Go</b>	<b>G-8</b>
<b>Communication from George and Helen Wruck of 2857 Truffle, Concerning Marcus Drive in Morel East Subdivision</b>	<b>G-9</b>
<b>Communication from Sidney Frank, Chairman of the Board of Troy Chamber of Commerce - Industrial Development District and Tax Abatement Issue</b>	<b>G-10</b>
<b>Communication from David Ostertag, Regional Field Investigator for Discover Financial Services - Commending Detective Peter Pizzorni/Troy Police Department for Accomplishment of the Mall Fraud Task Force</b>	<b>G-11</b>
<b>Communication from Director of Building and Zoning Mark Stimac - Proposed Revision to Chapter 79 – Troy City Code</b>	<b>G-12</b>
<b>Communication from Library Director Brian Stoutenburg - Renewal of Resolutions for Efficient Library Operations</b>	<b>G-13</b>
<b>Communication from Hugo A. Perinot , Resident of Morel East Subdivision, Regarding Marcus Drive</b>	<b>G-14</b>
<b>Communication from Library Director Brian Stoutenburg - Architectural Contract for Internal Library Space Improvements</b>	<b>G-15</b>
<b>Communication from City Attorney John Martin - Darrah V. Troy and Police Officer Bragg</b>	<b>G-16</b>

---

Respectfully submitted,

John Szerlag  
City Manager

