

A Regular Meeting of the Troy City Council was held Monday, January 7, 2008, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:30 PM.

David Huffstutler of First Baptist Church gave the Invocation and the Pledge of Allegiance to the Flag was given.

## ROLL CALL

Mayor Louise E. Schilling  
Robin Beltramini  
Cristina Broomfield  
David Eisenbacher  
Wade Fleming (absent)  
Mayor Pro Tem Martin Howrylak  
Mary Kerwin

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### (a) Vote on Resolution to Excuse Council Member Fleming

Resolution #2008-01-001  
Moved by Broomfield  
Seconded by Eisenbacher

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of Council Member Fleming at the Regular City Council meeting of January 7, 2008 due to being out of the county.

Yes: All-6  
No: None  
Absent: Fleming

## CERTIFICATES OF RECOGNITION:

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### A-1 Presentations:

- a) On behalf of the City of Troy Employee's *Casual for a Cause* Program, Carol Anderson, Parks & Recreation Director, presented a check in the amount of \$557.67 to Dave Taylor of Senior Home Assistance Repair Program (SHARP).

## CARRYOVER ITEMS:

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- B-1 No Carryover Items

## PUBLIC HEARINGS:

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- C-1 No Public Hearings

## POSTPONED ITEMS:

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- D-1 No Postponed Items

**PUBLIC COMMENT: Limited to Items Not on the Agenda****REGULAR BUSINESS:**

E-1 **Appointments to Boards and Committees: a) Mayoral Appointments: Board of Review; Brownfield Redevelopment Authority; and Planning Commission b) City Council Appointments: Board of Zoning Appeals; Election Commission; Liquor Advisory Committee; Municipal Building Authority; and Traffic Committee**

**(a) Mayoral Appointments**

Moved by Schilling  
Seconded by Beltramini

RESOLVED, That the Mayor of the City of Troy hereby **APPOINTS** the following persons to serve on the Boards and Committees as indicated:

**Board of Review**

Appointed by Mayor (3-Regular) – 3 Year Terms

Eileen (Nora) Turner Term Expires 01/31/11

**Brownfield Redevelopment Authority**

Appointed by Mayor (7-Regular) – 3 Year Terms

Philip Sanzica Unexpired Term 04/30/08

**Planning Commission**

**Appointed by Mayor (9-Regular) – 3-Year Terms**

Donald Edmunds Term Expires 12/31/10

**Vote on Resolution to Separate the Vote on Mayoral Appointment – Planning Commission**

Resolution #2008-01-002  
Moved by Broomfield  
Seconded by Eisenbacher

RESOLVED, That Troy City Council hereby **SEPARATES** the vote for Mayoral Appointment to vote separately on the Planning Commission.

Yes: All-6  
No: None  
Absent: Fleming

**Vote on Mayoral Appointment to Board of Review and Brownfield Redevelopment Authority**

Resolution #2008-01-003  
Moved by Schilling  
Seconded by Beltramini

RESOLVED, That the Mayor of the City of Troy hereby **APPOINTS** the following persons to serve on the Boards and Committees as indicated:

**Board of Review**

Appointed by Mayor (3-Regular) – 3 Year Terms

Eileen (Nora) Turner Term Expires 01/31/11

**Brownfield Redevelopment Authority**

Appointed by Mayor (7-Regular) – 3 Year Terms

Philip Sanzica Unexpired Term 04/30/08

Yes: All-6  
No: None  
Absent: Fleming

**MOTION CARRIED**

**Vote on Mayoral Appointment to the Planning Commission**

Resolution #2008-01-004  
Moved by Schilling  
Seconded by Beltramini

RESOLVED, That the Mayor of the City of Troy hereby **APPOINTS** the following person to serve on the Boards and Committees as indicated:

**Planning Commission**

Appointed by Mayor (9-Regular) – 3-Year Terms

Donald Edmunds Term Expires 12/31/10

Yes: Kerwin, Schilling, Beltramini  
No: Broomfield, Eisenbacher, Howrylak  
Absent: Fleming

**MOTION FAILED**

**(b) City Council Appointments**

Resolution #2008-01-005  
Moved by Howrylak  
Seconded by Eisenbacher

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

**Election Commission**

Appointed by Council (2-Regular) – 1 Year Term

David C. Anderson Term Expires 01/31/09

Timothy Dewan Term Expires 01/31/09

**Liquor Advisory Committee**

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

W.S. Godlewski Term Expires 01/31/11

Bohdan L. Ukraineec Term Expires 01/31/11

**Municipal Building Authority**

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

Victor P. Freliga Term Expires 01/31/11

Frank Shier Term Expires 01/31/11

**Traffic Committee**

Appointed by Council (7-Regular) – 3 Year Term

Richard A. Kilmer Term Expires 01/31/11

Peter F. Ziegenfelder Term Expires 01/31/11

Yes: All-6  
No: None  
Absent: Fleming

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**E-2 Amendment to City of Troy Incentive Plan for Volunteer Firefighters**

Resolution  
Moved by Beltramini  
Seconded by Kerwin

BE IT RESOLVED, That Troy City Council hereby **AMENDS** Section 4.3 of the City of Troy *Incentive Plan for Volunteer Firefighters* to provide for a four percent (4%) increase in the annual payment amount, equating to an annual incentive of \$582.00 per year for volunteer firefighters retiring on or after January 1, 2008 and \$605.00 per year for volunteer firefighters retiring on or after January 1, 2009, with an additional payment of \$10.00 per month for current retirees for the next two years.

**Vote on Resolution to Postpone**

Resolution #2008-01-006

Moved by Howrylak

Seconded by Eisenbacher

RESOLVED, That Troy City Council hereby **POSTPONES** *Amendment to City of Troy Incentive Plan for Volunteer Firefighters* and **DIRECTS** Staff to reenter negotiations and return to City Council with an amended resolution.

Yes: Eisenbacher, Howrylak

No: Kerwin, Schilling, Beltramini, Broomfield

Absent: Fleming

**MOTION FAILED**

**Vote on Resolution to Amend**

Resolution #2008-01-007

Moved by Eisenbacher

Seconded by Beltramini

RESOLVED, That Troy City Council hereby **AMENDS** the resolution *Amendment to City of Troy Incentive Plan for Volunteer Firefighters* by **INSERTING** "of service" **AFTER** "per year" in the two locations.

Yes: All-6

No: None

Absent: Fleming

**Vote on Resolution as Amended**

Resolution #2008-01-008

Moved by Beltramini

Seconded by Kerwin

BE IT RESOLVED, That Troy City Council hereby **AMENDS** Section 4.3 of the City of Troy *Incentive Plan for Volunteer Firefighters* to provide for a four percent (4%) increase in the annual payment amount, equating to an annual incentive of \$582.00 per year of service for volunteer firefighters retiring on or after January 1, 2008 and \$605.00 per year of service for volunteer firefighters retiring on or after January 1, 2009, with an additional payment of \$10.00 per month for current retirees for the next two years.

Yes: All-6  
No: None  
Absent: Fleming

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**E-3 Cable Resolution**

Resolution #2008-01-009  
Moved by Eisenbacher  
Seconded by Broomfield

WHEREAS, Comcast Cablevision, is among the companies that furnish or will be furnishing cable television subscriptions to residential customers;

WHEREAS, The City of Troy and other governmental entities have committed substantial resources to deliver programming on governmental and educational access channels, also known as PEG and has participated with other governmental entities in the Community Media Network (CMN) and the Intergovernmental Cable Communication Authority (ICCA);

WHEREAS, Comcast Cablevision has indicated that it intends to change the channel lineup and location of the public, educational and government access channels (PEG) from present locations, where they have been situated for many years, to the channel lineup in the 900's, which will require customers to have a digital converter set-top box, a cable card or a QAM\* capable television;

WHEREAS, The result is added costs, inconvenience, and confusion with respect to citizens who intend to view educational and governmental access channels; and

WHEREAS, Since Comcast's announcement, many citizens have voiced their opposition to the news that Comcast intends to change the location of PEG channels and require customers to have a digital converter box to receive the channels;

NOW, THEREFORE, it is resolved that:

1. Comcast Cablevision is requested to preserve the channel locations for public, educational and governmental access channels (PEG) and agree that they will not be changed in the future without the written consent of the City or governmental entity or entities which provide programming on such channels;
2. The City of Troy requests that Comcast respond to the questions posed by the Michigan Chapter of the National Association of Telecommunications Officers and Advisors in its letter dated November 2007 addressing operational and legal issues related to Comcast's actions; and
3. The City of Troy requests that Public Act 480 of 2006 be immediately amended to require that public, educational and governmental access channels remain at the current locations and that the same not be subject to change unless the written consent of the affected governmental entity providing the programming is obtained;

4. The City of Troy requests that ICCA legal counsel explore sections of Michigan’s Public Act 480 of 2006, for provisions that already exist to potentially assist the City in maintaining the best delivery of its programming to Troy residents via the cable TV and video systems. In addition, that ICCA continue talks with local providers, as well as investigate appropriate measures, to protect the City’s investment in providing programming for local access channels, as these channels are important means of communicating with residents.

5. Consumers should be informed that they have the option in Troy to change to Wide Open West if they have a problem with Comcast’s channel lineup. Comcast is risking the loss of many customers who enjoy the local Public, Educational and Governmental Channels.

6. Digital broadcast TV will be mandatory starting in February 2009 and many consumers will already be purchasing new TVs with digital reception and QAM or converter boxes for digital TV and QAM reception during the next year. This will effectively be a one year problem if Comcast changes the channel list early instead of waiting until February 2009.

\* QAM tuners in televisions enable direct reception of digital cable channels without the use of a set-top box.

Yes: All-6  
 No: None  
 Absent: Fleming

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**E-4 City of Troy Precinct Boundary Alterations and Relocations**

Resolution #2008-01-010  
 Moved by Eisenbacher  
 Seconded by Broomfield

RESOLVED, That Troy City Council hereby **APPROVES** the City of Troy alterations of precinct boundaries and relocation polling locations as follows:

<b>PCT #</b>	<b>BOUNDARY DESCRIPTION</b>	<b>POLLING LOCATION</b>	
1	Section 1	A	Evanswood Church of God 2601 E. Square Lake
2	Section 2 in the Troy School District	B	Kensington Community Church 1825 E. Square Lake
3	Sections 2, 3 and 4 in the Avondale School District	C	Woodside Bible Church 6600 Rochester
4	Sections 3, 4 and 5 in the Troy School District	H	St. Elizabeth Ann Seton Catholic Church 280 E. Square Lake
5	Sections 5 and 6 in the Avondale School District	D	Faith Apostolic Church 6710 Crooks
6	Section 6 in the Troy School District	E	Nature Center 6685 Coolidge Hwy.
7	Section 7 in the Troy School District and Section 8 west of Coolidge Highway	F	St. Stephen Episcopal Church 5500 Adams

PCT #	BOUNDARY DESCRIPTION	POLLING LOCATION	
8	Section 8 east of Coolidge Highway	G	Northfield Hills Baptist Church 1800 W. Long Lake
9	Sections 9 & 10	H	St. Elizabeth Ann Seton Catholic Church 280 E. Square Lake
10	Section 11	B	Kensington Community Church 1825 E. Square Lake
11	Section 12 north of Highbury, east of Harbor, north of Willard, north and east of English	A	Evanswood Church of God 2601 E. Square Lake
12	Section 12 south of Highbury, west of Harbor, south of Willard, south and west of English	C	Woodside Bible Church 6660 Rochester Road
13	Section 13	I	Bethesda Romanian Pentecostal Church 2075 E. Long Lake
14	Section 14	J	St. Anastasia Catholic Church 4571 John R
15	Section 15	O	St. Lucy Catholic Croatian Church 200 E. Wattles
16	Section 16 east of I-75 and Section 21 east of I-75	K	First Presbyterian Church 4328 Livernois
17	Section 16 west of I-75 and Section 17	L	St. Nicholas Greek Orthodox Church 760 W. Wattles
18	Section 18 in the Troy School District	F	St. Stephen Episcopal Church 5500 Adams
19	Sections 19 and 30 in the Troy School District	Q	St. Alan Catholic Church 3077 Gloucester
20	Section 20 and Section 21 west of I-75	L	St. Nicholas Greek Orthodox Church 760 W. Wattles
21	Section 22	O	St. Lucy Catholic Croatian Church 200 E. Wattles
22	Section 23	J	St. Anastasia Catholic Church 4571 John R
23	Section 24	P	St. Joseph Chaldean Catholic Church 2442 E. Big Beaver
24	Sections 25 and 26 in the Warren Consolidated School District	R	St. George Antiochian Orthodox Church 2160 E. Maple
25	Sections 35 and 36 in the Warren Consolidated School District	R	St. George Antiochian Orthodox Church 2160 E. Maple
26	Sections 26, 27, 34 and 35 south of I-75 in the Troy School District	N	Troy Community Center 3179 Livernois
27	Section 28 and Sections 25, 26, and 27 north of I-75 and south of E. Big Beaver in Sections	N	Troy Community Center 3179 Livernois

PCT #	BOUNDARY DESCRIPTION	POLLING LOCATION	
	in the Troy School District		
28	Sections 29 and 32 in the Troy School District	Q	St. Alan Catholic Church 3077 Gloucester
29	Sections 18, 19, 30, and 31 in the Birmingham School District	M	North Hills Christian Reformed Church 3150 N. Adams
30	Section 35 in the Royal Oak School District and the Section 36 in the Lamphere School District	N	Troy Community Center 3179 Livernois
31	Sections 6, 7, and 18 in the Bloomfield Hills School District	E	Nature Center 6685 Coolidge Hwy.

Yes: Eisenbacher, Howrylak, Schilling, Beltramini, Broomfield  
 No: Kerwin  
 Absent: Fleming

**MOTION CARRIED**

**CONSENT AGENDA:**

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**F-1a Approval of “E” Items NOT Removed for Discussion**

Resolution #2008-01-011  
 Moved by Beltramini  
 Seconded by Eisenbacher

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

Yes: All-6  
 No: None  
 Absent: Fleming

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**F-1b Address of “F” Items Removed for Discussion by City Council and/or the Public**

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**F-2 Approval of City Council Minutes**

Resolution #2008-01-011-F-2

RESOLVED, That the Minutes of the 7:30 PM Regular City Council Meeting of December 17, 2007 be **APPROVED** as submitted.

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**F-3 City of Troy Proclamations for School Board Recognition Month – January, 2008**

Resolution #2008-01-011-F-3

RESOLVED, That Troy City Council hereby **APPROVES** the following City of Troy Proclamations for School Board Recognition Month – January, 2008:

- a) Troy School Board Members
- b) Avondale School Board Members
- c) Birmingham School Board Members
- d) Bloomfield Hills School Board Members
- e) Lamphere School Board Members
- f) Royal Oak School Board Members
- g) Warren Consolidated School Board Members

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**F-4 Standard Purchasing Resolutions: None Submitted**

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**F-5 Approval of Purchase Agreement for John R Road Improvements, Square Lake Road to South Boulevard, Project No. 02.204.5 – Parcel #52 – Sidwell #88-20-02-228-038 – Byung Ho Kim and Soon Hee Kim**

Resolution #2008-01-011-F-5

RESOLVED, That Troy City Council hereby **APPROVES** the Agreement to Purchase Realty for Public Purposes between Byung Ho Kim and Soon Hee Kim, owners of property having Sidwell #88-20-02-228-038, 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 \$21,450.00, plus closing costs; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Real Estate and Development Department to expend the necessary closing costs to complete this purchase according to the agreement; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk 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.

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**F-6 Traffic Signal Maintenance Agreement – Crooks and Bridge Park**

Resolution #2008-01-011-F-6

WHEREAS, The Crooks Road Project created a 4-lane boulevard and the existing traffic signal at Crooks Road and Bridge Park became two separate signals, one for northbound and one for southbound; and

WHEREAS, Bridge Park is a city road and Crooks Road is under the jurisdiction of the Road Commission for Oakland County;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the cost agreement with the Road Commission for Oakland County and the City for the maintenance of the traffic signals at Crooks Road and Bridge Park for sharing costs at 50% City and 50% Road Commission for Oakland County, and **AUTHORIZES** the Mayor and City Clerk to execute the agreement, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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**F-7 Parks and Recreation Department Grant Approval and Authorization to Expend City Funds for Access to Recreation Initiative Matching Grant**

Resolution #2008-01-011-F-7

RESOLVED, That Troy City Council hereby **AUTHORIZES** the Troy Parks and Recreation Department to receive a Michigan Parks and Recreation Foundation Access to Recreation Initiative Matching Grant and expend \$4,081.00 for the purchase of equipment in accordance with the award; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AMENDS** the Parks and Recreation Department budget to receive the grant funding of \$12,243.00.

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**MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:**

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**G-1 Announcement of Public Hearings:**

- a) Rezoning Application – East Side of John R, North of Big Beaver, Section 24 – From P-1 and R-1E to B-1 (File Number: Z 677 B) – January 28, 2008
- b) IACNA, International Automotive Components Group, North America, 750-800 Chicago – Request for Industrial Development District (IDD) and the Issuance of an Industrial Facilities Exemption Certificate (IFEC) – January 28, 2008  
Noted and Filed

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**G-2 Green Memorandums: None Submitted**

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**COUNCIL REFERRALS: Items Advanced to the City Manager by Individual City Council Members for Placement on the Agenda**

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**H-1 No Council Referrals Advanced**

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**COUNCIL COMMENTS:**

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**I-1 No Council Comments Advanced**

**REPORTS:**

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

- a) Retiree Health Care Benefits Plan & Trust/Final – September 12, 2007
- b) Building Code Board of Appeals/Final – November 7, 2007
- c) Liquor Advisory Committee/Final – November 12, 2007
- d) Employees' Retirement System Board of Trustees/Final – November 14, 2007
- e) Library Advisory Board/Final – November 15, 2007
- f) Downtown Development Authority/Draft – November 21, 2007
- g) Planning Commission Special/Study/Final – November 27, 2007
- h) Planning Commission Special/Study/Final – December 4, 2007
- i) Liquor Advisory Committee/Draft – December 10, 2007
- j) Building Code Board of Appeals/Draft – December 12, 2007
- k) Employees' Retirement System Board of Trustees/Draft – December 12, 2007
- l) Retiree Health Care Benefits Plan & Trust/Draft – December 12, 2007

Noted and Filed

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**J-2 Department Reports:**

- a) City Attorney's Office – 2007 Fourth Quarter Litigation Report
- b) City Clerk's Office – Board and Committee Members Serving on Multiple Boards/Committees

Noted and Filed

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**J-3 Letters of Appreciation: None Submitted**

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**J-4 Proposed Proclamations/Resolutions from Other Organizations:**

- a) City of Oak Park – Resolution Requesting Preservation of Existing Channel Locations for Public, Governmental and Educational Access Channels, also known as PEG

Noted and Filed

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**J-5 Calendar**

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**STUDY ITEMS:**

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**K-1 No Study Items Submitted**

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**PUBLIC COMMENT: Address of "K" Items**

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**CLOSED SESSION:**

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

The meeting **ADJOURNED** at 8:51PM.

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Louise E. Schilling, Mayor

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Tonni L. Bartholomew, MMC  
City Clerk