

AGENDA

Meeting of the

CITY COUNCIL OF THE CITY OF TROY

JUNE 2, 2008

CONVENING AT 7:30 P.M.

Submitted By
The City Manager

NOTICE: Persons with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk at (248) 524-3316 or via e-mail at clerk@troymi.gov at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

TO: The Honorable Mayor and City Council
Troy, Michigan

FROM: Phillip L. Nelson, City Manager

SUBJECT: Background Information and Reports

Ladies and Gentlemen:

This booklet provides a summary of the many reports, communications and recommendations that accompany your Agenda. Also included are suggested or requested resolutions and/or ordinances for your consideration and possible amendment and adoption.

Supporting materials transmitted with this Agenda have been prepared by department directors and staff members. I am indebted to them for their efforts to provide insight and professional advice for your consideration.

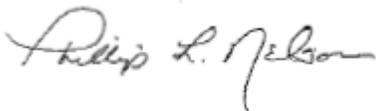
Identified below are goals for the City, which have been advanced by the governing body; and Agenda items submitted for your consideration are on course with these goals.

Goals

- I. Enhance the livability and safety of the community
- II. Minimize the cost and increase the efficiency and effectiveness of City government
- III. Retain and attract investment while encouraging redevelopment
- IV. Effectively and professionally communicate internally and externally
- V. Maintain relevance of public infrastructure to meet changing public needs
- VI. Emphasize regionalism and incorporate creativity into the annual strategic planning process

As always, we are happy to provide such added information as your deliberations may require.

Respectfully submitted,



Phillip L. Nelson, City Manager



CITY COUNCIL

AGENDA

June 2, 2008 – 7:30 PM
Council Chambers
City Hall - 500 West Big Beaver
Troy, Michigan 48084
(248) 524-3317

CALL TO ORDER: 1

INVOCATION & PLEDGE OF ALLEGIANCE: Pastor Cliff Lambert – Woodside Bible Church 1

ROLL CALL 1

CERTIFICATES OF RECOGNITION: 1

- A-1 Presentations: 1
- a) Proclamation to Honor Raymond Piper – 2007 Police Officer of the Year 1
 - b) Proclamation to Honor Jason Strasz – 2007 Non-Sworn Police Department Employee of the Year 1
 - c) Proclamation to Honor Daniel Carcone – 2008 Fire Fighter of the Year 1
 - d) On behalf of the City of Troy Employee’s *Casual for a Cause* Program (April), Carol Anderson, Parks & Recreation Director will present a check in the amount of \$568.12 to Jeanne Stine for *Friends of the Troy Public Library* 1

CARRYOVER ITEMS: 1

B-1 No Carryover Items 1

PUBLIC HEARINGS: 1

C-1 Outdoor Seating Request in Excess of 20 Seats – Buffalo Wild Wings, 1873 E. Big Beaver Road 1

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POSTPONED ITEMS: 2

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CALL TO ORDER:**INVOCATION & PLEDGE OF ALLEGIANCE: Pastor Cliff Lambert – Woodside Bible Church****ROLL CALL**

- (a) Mayor Louise E. Schilling
Robin Beltramini
Cristina Broomfield
David Eisenbacher
Wade Fleming
Mayor Pro Tem Martin Howrylak
Mary Kerwin
- (b) Excuse Absent Council Members

CERTIFICATES OF RECOGNITION:

A-1 Presentations:

- a)** Proclamation to Honor Raymond Piper – 2007 Police Officer of the Year
- b)** Proclamation to Honor Jason Strasz – 2007 Non-Sworn Police Department Employee of the Year
- c)** Proclamation to Honor Daniel Carcone – 2008 Fire Fighter of the Year
- d)** On behalf of the City of Troy Employee's *Casual for a Cause* Program (April), Carol Anderson, Parks & Recreation Director will present a check in the amount of \$568.12 to Jeanne Stine for *Friends of the Troy Public Library*

CARRYOVER ITEMS:

B-1 No Carryover Items**PUBLIC HEARINGS:**

C-1 Outdoor Seating Request in Excess of 20 Seats – Buffalo Wild Wings, 1873 E. Big Beaver RoadSuggested Resolution

Resolution #2008-06-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **APPROVES** the request from Michael Ansley, representing Buffalo Wild Wings, for Special Use Approval for an outdoor seating area for 24 seats as part of the construction of a new restaurant at the northwest corner of Big Beaver Road and John R, addressed 1873 E. Big Beaver, for a period not to exceed 2 years, in

accordance with Section 21.30.05 of the Zoning Ordinance, Chapter 39 of the Code of the City of Troy; and

BE IT FURTHER RESOLVED, That Buffalo Wild Wings Restaurant **MAY APPLY** for a 2-year continuance prior to the expiration of this appeal.

Yes:

No:

POSTPONED ITEMS:

D-1 Approval of City Council Minutes

Suggested Resolution

Resolution #2008-06-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **APPROVES** the Minutes of the 7:30 PM Regular City Council Meeting of May 12, 2008 as amended.

Yes:

No:

PUBLIC COMMENT: Limited to Items Not on the Agenda

Public comment limited to items not on the Agenda in accordance with the Rules of Procedure of the City Council, Article 16 - Members of the Public and Visitors.

REGULAR BUSINESS:

Persons interested in addressing the City Council on items, which appear on the printed Agenda, will be allowed to do so at the time the item is discussed upon recognition by the Chair in accordance with the Rules of Procedure of the City Council, Article 16, during the Public Comment section under item 10“E” of the agenda. Other than asking questions for the purposes of gaining insight or clarification, Council shall not interrupt or debate with members of the public during their comments. Once discussion is brought back to the Council table, persons from the audience will be permitted to speak only by invitation by Council, through the Chair. Council requests that if you do have a question or concern, to bring it to the attention of the appropriate department(s) whenever possible. If you feel that the matter has not been resolved satisfactorily, you are encouraged to bring it to the attention of the City Manager, and if still not resolved satisfactorily, to the Mayor and Council.

NOTE: Any item selected by the public for comment from the Regular Business Agenda shall be moved forward before other items on the regular business portion of the agenda have been heard. Public comment on Regular Agenda Items will be permitted under Agenda Item 10 “E”.

E-1 Appointments to Boards and Committees: a) Mayoral Appointments: None b) City Council Appointments: None

The following Boards and Committees have expiring terms and/or vacancies. Bold black lines indicate the number of appointments required:

The appointment of new members to all of the listed Board and Committee vacancies will require only one motion and vote by City Council. Council members submit nominations for appointment at the meeting prior to consideration. Whenever the number of submitted names exceeds the number of vacancies, a separate motion and roll call vote will be required to confirm the nominee receiving the greatest number of votes in the Council polling process (current process of appointing). Remaining vacancies will automatically be carried over to the next Regular City Council Meeting Agenda for consideration.

(a) **Mayoral Appointments - None**

(b) **City Council Appointments - None**

E-2 Nominations for Appointments to Boards and Committees: (a) Mayoral Nominations: Local Development Finance Authority (LDFA) and Planning Commission (Student) (b) City Council Nominations: Advisory Committee for Persons with Disabilities; Building Code Board of Appeals; Cable Advisory Committee; Ethnic Issues Advisory Board; Historic District Commission; Historic District Study Committee; Historical Commission; Library Advisory Board; Liquor Advisory Committee; Parks & Recreation Board; Traffic Committee; Troy Daze; and Youth Council

The following Boards and Committees have expiring terms and/or vacancies. Bold black lines indicate the number of appointments required:

The nomination of applicants to the following listed Board and Committee vacancies will be moved forward to the next Regular City Council Meeting for consideration of appointment.

(a) **Mayoral Nominations**

Suggested Resolution

Resolution #2008-06-

Moved by

Seconded by

RESOLVED, That the Mayor of the City of Troy hereby **FORWARDS** the following nominated person(s) to serve on the Boards and Committees as indicated to the next Regular City Council Meeting for action:

Local Development Finance Authority (LDFA)
Appointed by Mayor (5-Regular-Staggered: 4-Year Terms)

Term Expires 06/30/12

Term Expires 06/30/12

Planning Commission

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

Student Term Expires 07/31/09

Yes:

No:

(b) City Council Nominations

Suggested Resolution

Resolution #2008-06-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **FORWARDS** the following nominated person(s) to serve on the Boards and Committees as indicated to the next Regular City Council Meeting for action:

Advisory Committee for Persons with Disabilities

Appointed by City Council (9-Regular) (3-Alternates) 3-Year Terms

Student Term Expires 07/01/09

Student Term Expires 07/01/09

Building Code Board of Appeals

Appointed by City Council (5-Regular) 5-Year Terms

Term Expires 07/31/13

Cable Advisory Committee

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

Student Term Expires 07/01/09

Student Term Expires 07/01/09

Ethnic Issues Advisory Board

Appointed by City Council (9-Regular) 2 & 3-Year Terms

Student Term Expires 07/01/09

Historic District Commission

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

Student Term Expires 07/01/09

Historic District Study Committee

Appointed by City Council (7-Regular) – Ad Hoc (1 Member from Historic District Commission; 1 Member from Local Historic Preservation Organization)

NOTE: Refer to Agenda Item #E-7 for proposed revision to committee appointment.

Ad Hoc

Historical Commission

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

Term Expires 07/31/11

Term Expires 07/31/11

Term Expires 07/31/11

Student Term Expires 07/01/09

Library Advisory Board

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

Student Term Expires 07/01/09

Liquor Advisory Committee

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

Student Term Expires 07/31/09

Parks & Recreation Board

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

****Troy School District Rep.** Term Expires 07/31/09

Student Term Expires 07/31/09

****NOTE: 5/19/2008- Troy School District recommendation pending.**

Traffic Committee

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

Student Term Expires 07/31/09

Troy Daze
Appointed by Council (9-Regular: 3-Year Terms)

Student Term Expires 07/31/09

Youth Council
Appointed by Council (13-Regular –1-Year Term)

Student Term Expires 06/01/09

Yes:
No:

E-3 Approval of the Troy Local Development Finance Authority’s 2008/09 Budget

Suggested Resolution
Resolution #2008-06-
Moved by
Seconded by

WHEREAS, The Troy Local Development Finance Authority has adopted and recommends that the City Council approve its 2008/09 budget;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the Troy Local Development Finance Authority’s annual budget for fiscal year July 1, 2008 through June 30, 2009.

Yes:
No:

E-4 Approval of the Troy Brownfield Redevelopment Authority’s 2008/09 Budget

Suggested Resolution
Resolution #2008-06-
Moved by
Seconded by

WHEREAS, The Troy Brownfield Redevelopment Authority has adopted and recommends that the City Council approve its 2008/09 budget;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the Troy Brownfield Redevelopment Authority’s annual budget for fiscal year July 1, 2008 through June 30, 2009.

Yes:
No:

E-5 Scheduling a Special Meeting for a Preliminary Discussion of the Budgeting for Outcomes (BFO) ProcessSuggested Resolution

Resolution #2008-06-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **SCHEDULES** a special meeting for the purpose of discussing the budgeting for outcomes process:

Monday, June 23, 2008 at 7:30 PM in the Council Board Room of Troy City Hall, 500 W. Big Beaver, Troy, MI 48084;

Wednesday, June 25, 2008 at 7:30 PM in the Council Board Room of Troy City Hall, 500 W. Big Beaver, Troy, MI 48084;

Monday, July 14, 2008 at 7:30 PM in the Council Board Room of Troy City Hall, 500 W. Big Beaver, Troy, MI 48084;

Wednesday, July 16, 2008 at 7:30 PM in the Council Board Room of Troy City Hall, 500 W. Big Beaver, Troy, MI 48084;

Monday, July 28, 2008 at 7:30 PM in the Council Board Room of Troy City Hall, 500 W. Big Beaver, Troy, MI 48084;

OR

Wednesday, July 30, 2008 at 7:30 PM in the Council Board Room of Troy City Hall, 500 W. Big Beaver, Troy, MI 48084

Yes:

No:

E-6 Mary Ann Hennig v. City of Troy et. al.Suggested Resolution

Resolution #2008-06-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **AUTHORIZES** and **DIRECTS** the City Attorney to seek an appeal of Judge Mester's denial of the City of Troy's motion for summary disposition in the matter of *Mary Ann Hennig v. City of Troy*.

Yes:

No:

E-7 Resolution to Establish Historic District Study Committee Terms

Suggested Resolution

Resolution #2008-06-

Moved by

Seconded by

RESOLVED, That Historic District Study Committee members shall **SERVE** on the committee for 3-year staggered terms; and

BE IT FURTHER RESOLVED, That the initial staggering of terms for the following committee members shall be **ESTABLISHED** by the pulling of lots:

Historic District Study Committee

Appointed by City Council (7-Regular) – 1 Member from Historic District Commission and 1 Member from Local Historic Preservation Organization

		Initial Term	Term
Biglin, Marjorie		02/23/04	
Harris, Charlene		02/23/04	
Lin, Paul Chu	Historic District Commission Member	02/23/04	
Lindsey, Kevin		02/23/04	
Miller, Bob		02/23/04	
Rivetto, Linda	Historical Society Member	02/23/04	
VACANCY			

Yes:

No:

E-8 Proposed Relocation of the City Treasurer’s Office and Planning Department

Suggested Resolution

Resolution #2008-06-

Moved by

Seconded by

WHEREAS, City Management has analyzed the interrelationship between City departments to see if efficiency can be improved by housing similar functions closer together;

WHEREAS, City Management has taken into account recommendations stemming from the Zucker report;

WHEREAS, City Management proposes relocation of the City Treasurer’s Office so that it is situated next to the City Assessor’s Office and relocation of the Planning Department so that it is situated next to the Building Department;

WHEREAS, These relocations are intended to improve customer service; and

WHEREAS, Streamlining interdepartmental functions plus the cross-training of personnel will allow for the immediate elimination of one vacant staff position for an approximate cost savings to the General Fund of \$74,000.00;

RESOLVED, That Troy City Council hereby **APPROVES** relocating the City Treasurer's Office and the Planning Department; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **AUTHORIZES** in-house City staff to perform the necessary reconfiguration of office space and the use of approved contracts in accordance with standard purchasing procedures for an estimated cost of \$115,000.00, as can be seen in the attached pricing detail.

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 ask a question regarding an item as well as speak in opposition to the recommended action by removing an item from the Consent Agenda and have it considered as a separate item. Any item so removed from the Consent Agenda shall be considered after other items on the consent portion of the agenda have been heard. Public comment on Consent Agenda Items will be permitted under Agenda Item 12 "F".

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

Suggested Resolution

Resolution #2008-06-

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 (F) items, as printed.

Yes:

No:

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

F-2 Approval of City Council Minutes

Suggested Resolution

Resolution #2008-06-

RESOLVED, That Troy City Council hereby **APPROVES** the Minutes of the 7:30 PM Regular City Council Meeting of May 19, 2008 as submitted.

F-3 Proposed City of Troy Proclamations:

Suggested Resolution

Resolution #2008-06-

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

- a) Raymond Piper – 2007 Police Officer of the Year
- b) Jason Strasz – 2007 Non-Sworn Police Department Employee of the Year
- c) Daniel Carcone – 2008 Fire Fighter of the Year

F-4 Standard Purchasing Resolutions

- a) **Standard Purchasing Resolution 1: Award to Low Bidder Contract 08-5 – Coolidge Road, Derby to Golfview Water Main Replacement Project No. 99.502.5**

Suggested Resolution

Resolution #2008-06-

RESOLVED, That Troy City Council hereby **AWARDS** Contract No. 08-5, Coolidge Road, Derby to Golfview Water Main Replacement to Pamar Enterprises, Inc., 58021 Gratiot, New Haven, MI 48048 at an estimated total cost of \$320,758.00; 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, Troy City Council hereby **AUTHORIZES** such additional work in an amount not to exceed 10% of the total project cost.

- b) **Standard Purchasing Resolution 1: Award to Low Bidder - Topsoil**

Suggested Resolution

Resolution #2008-06-

RESOLVED, That Troy City Council hereby **AWARDS** a two-year contract for topsoil with an option to renew for one additional year to the low bidder, Sterling Topsoil and Grading, Inc. of Fraser, MI at unit prices contained in the bid tabulation opened May 14, 2008, a copy of which shall be **ATTACHED** to the original Minutes of this meeting to expire May 31, 2010; 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.

F-5 Application for Transfer of Class C License to CJ Mahoney's of Troy, LLC**(a) New License**

Suggested Resolution
Resolution #2008-06-

RESOLVED, That Troy City Council hereby **CONSIDERS** for **APPROVAL** the request from CJ Mahoney's of Troy, LLC to transfer ownership of the escrowed 2007 Class C licensed business with Entertainment – Dance Permit from B&P Saloons, Inc.; transfer location, governmental unit under MCL436.1531(1), from 25231 Telegraph, Southfield, Michigan, 48034, to 2511 Livernois, Troy Michigan, 48084, Oakland County; and

BE IT FURTHER RESOLVED, That it is the consensus of this legislative body that the application **BE RECOMMENDED** for issuance.

(b) Agreement

Suggested Resolution
Resolution #2008-06-

WHEREAS, The Troy City Council deems it necessary to enter agreements with applicants for liquor licenses for the purpose of providing civil remedies to the City of Troy in the event licensees fail to adhere to Troy Codes and Ordinances;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** an agreement with CJ Mahoney's of Troy, LLC, to transfer ownership of the escrowed 2007 Class C licensed business with Entertainment – Dance Permit from B&P Saloons, Inc.; transfer location, governmental unit under MCL436.1531(1), from 25231 Telegraph, Southfield, Michigan, 48034, to 2511 Livernois, Troy Michigan, 48084, Oakland County; and **AUTHORIZES** the Mayor and City Clerk to execute the document, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-6 Medi-Go Service Agreement

Suggested Resolution
Resolution #2008-06-

RESOLVED, That Troy City Council hereby **APPROVES** the request for funding in the amount of \$180,000.00 or entire municipal community credits transferred from SMART (whichever is more) for Troy Medi-Go Plus for fiscal year 2008/2009, and the funding agreement between the City of Troy and Troy Medi-Go Plus covering July 1, 2008 through June 30, 2009, and **AUTHORIZES** the Mayor and City Clerk to execute the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings: None Submitted

G-2 Memorandums: None Submitted

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

H-1 Memorandum Submitted by Human Resources Director Peggy Sears Regarding Long-Term Implications Should Non-Represented Employees Unionize – Requested by Council Member Kerwin

COUNCIL COMMENTS:

I-1 No Council Comments Advanced

REPORTS:

J-1 Minutes – Boards and Committees:

- a) Personnel Board/Final – April 3, 2008
 - b) Planning Commission Special/Study/Final – April 22, 2008
 - c) Building Code Board of Appeals/Draft – May 7, 2008
 - d) Liquor Advisory Committee/Draft – May 12, 2008
 - e) Ethnic Issues Advisory Board/Draft – May 13, 2008
 - f) Personnel Board/Draft – May 22, 2008
-

J-2 Department Reports:

- a) Council Member Robin Beltramini's Report from NLC Fair Committee Meeting
 - b) Police Department – 2008 Year-To-Date Calls for Police Service Report
-

J-3 Letters of Appreciation:

- a) Letter of Thanks to Jeff Biegler, Ed Carpus and the Troy Parks and Recreation Department from Sara Martin Regarding the March of Dimes March for Babies Event
 - b) Letter of Appreciation to Chief Nelson from Desmond Scanlon, US Secret Service, Regarding the Support during Senator John McCain's Visit to Troy
 - c) Letter of Thanks to Lt. Chuck Riesterer from the Northfield Hills Board of Directors
 - d) Letter of Thanks to Officer Breidenich from the Northfield Hills Board of Directors
 - e) Letter of Thanks to Chief Craft from Daniel Lis, Kelly Services Senior Vice President, Regarding the Responsiveness and Service of Officers Piltz, Minton, Rushton and Barrow
 - f) Letter to Chief Craft from Oakland County Prosecuting Attorney David Gorcyca Regarding the Professionalism of Sgt. James Clark, Sgt. Robert Redmond, Sgt. Robert Cantlon, Sgt. Robert Wolfe, Sgt. Barry Whiteside Detective John Mork, Detective Larry Schehr and Officer Joseph Morgan during the trial of Anthony LaCalamita
 - g) Letter of Appreciation to Chief Craft from Desmond Scanlon, US Secret Service, Regarding the Support during Senator John McCain's Visit to Troy
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J-4 Proposed Proclamations/Resolutions from Other Organizations: None Submitted

STUDY ITEMS:

K-1 No Study Items Submitted

PUBLIC COMMENT: Address of "K" Items

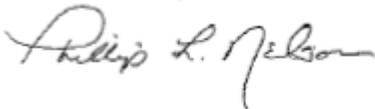
Persons interested in addressing the City Council on items, which appear on the printed Agenda, will be allowed to do so at the time the item is discussed upon recognition by the Chair in accordance with the Rules of Procedure of the City Council, Article 16, during the Public Comment section under item 18 of the agenda. Other than asking questions for the purposes of gaining insight or clarification, Council shall not interrupt or debate with members of the public during their comments. Once discussion is brought back to the Council table, persons from the audience will be permitted to speak only by invitation by Council, through the Chair. City Council requests that if you do have a question or concern, to bring it to the attention of the appropriate department(s) whenever possible. If you feel that the matter has not been resolved satisfactorily, you are encouraged to bring it to the attention of the City Manager, and if still not resolved satisfactorily, to the Mayor and Council.

CLOSED SESSION:

L-1 No Closed Session Requested

ADJOURNMENT

Respectfully submitted,



Phillip L. Nelson, City Manager

FUTURE CITY COUNCIL PUBLIC HEARINGS:

None Scheduled

SCHEDULED CITY COUNCIL MEETINGS:

Monday, June 16, 2008.....	Regular City Council
Monday, July 7, 2008	Regular City Council
Monday, July 21, 2008	Regular City Council
Monday, August 11, 2008	Regular City Council
Monday, August 25, 2008	Regular City Council
Monday, September 8, 2008.....	Regular City Council
Monday, September 22, 2008.....	Regular City Council

**PROCLAMATION TO HONOR
RAYMOND PIPER
2007 POLICE OFFICER OF THE YEAR**

WHEREAS, Officer Raymond Piper has been a member of the Troy Police Department since 1991 after completing several years of service with the Detroit Police Department; and

WHEREAS, His selection was based on his commitment to both the department and the community, as well as his superior performance, hard work and dedication to duty; and

WHEREAS, Officer Piper has continuously shown his bravery in the face of danger. One such example was his performance in response to an active shooter reported on April 9, 2007. As the first officer to respond to the scene on West Long Lake, **Officer Piper**, along with other arriving officers, entered the office building and quickly secured the scene so that medical personnel could safely enter and treat wounded victims; and

WHEREAS, On May 28, 2007, **Officer Piper** coordinated the capture of five individuals suspected in the armed robbery of a Troy car wash. After notification by radio, Officer Piper spotted the vehicle believed to be involved with the incident. From Troy to Detroit, Piper followed the vehicle and worked with Warren and Hazel Park Police Departments and the Michigan State Police to safely stop the vehicle and retrieve the stolen money and various handguns used in the robbery; and

WHEREAS, Officer Piper additionally serves his fellow man through a range of services that only a man worthy of honoring would take part in. Such services include providing his time and talents to assist students in a local radio-controlled aircraft club that meets once a week at Boulan Park Middle School. **Officer Piper** also provided friendship, encouragement, time and transportation to a fellow officer that was diagnosed with cancer; and

WHEREAS, Officer Piper goes above and beyond the call of duty and is a tremendous asset to the Troy Police Department.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Troy, does hereby join with the citizens of Troy, to express sincere congratulations to **Officer Raymond Piper** on the occasion of being chosen **2007 Police Officer of the Year** by the Troy Police Department.

BE IT FURTHER RESOLVED that the City Council commends **Ray** for his leadership, dedication and commitment to providing the best possible service to the citizens of Troy and his fellow employees.

Presented this 2nd day of June 2008.

**PROCLAMATION TO HONOR
JASON STRASZ
2007 NON-SWORN POLICE DEPARTMENT
EMPLOYEE OF THE YEAR**

WHEREAS, Jason Strasz has served the Troy Police Department since 2003 when he was hired as a Police Service Aide; and

WHEREAS, Jason is being honored as the **2007 Non-Sworn Police Department Employee of the Year** for his outstanding performance, dedication to his position, professionalism, and commitment to providing the best service to the residents of Troy; and

WHEREAS, Jason plays a key role in developing the relationship between the Troy Police Department and citizens of Troy by providing professional and helpful first contact through the Communications Section; and

WHEREAS, Despite the demands that come with the position and the technological abilities required, **Jason** has continuously risen to each occasion providing assurance to citizens, thoroughly assessing each situation, and utilizing his skills to perform a service that is vital to the quality of life for our community; and

WHEREAS, Since 2003, **Jason** has served as a training and certification officer for the Department's use of the Law Enforcement Information Network (LEIN). He also goes above and beyond by volunteering his time to such noble causes like the annual Mulvihill Cup Charity Hockey Game and assisting needy families during the Christmas season; and

WHEREAS, Through **Jason's** leadership, hard work and commitment to providing quality service, the Troy Police Department has gained the respect of the community and other law enforcement agencies.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Troy, does hereby join with the citizens of Troy, to express sincere congratulations to **Jason Strasz** on the occasion of being chosen **2007 Non-Sworn Employee of the Year by the Troy Police Department.**

BE IT FURTHER RESOLVED that the City Council commends **Jason** for his leadership, dedication and commitment to providing the best possible service to the citizens of Troy and his fellow employees.

Presented this 2nd day of June 2008.

**PROCLAMATION TO HONOR
DANIEL CARCONE
2008 FIRE FIGHTER OF THE YEAR**

WHEREAS, Daniel Carcone has been a volunteer Fire Fighter since joining Troy's Fire Station 6 more than 16 years ago; and

WHEREAS, His selection as **Fire Fighter of the Year** is due to his many years of dedication to the Troy Fire Department, having served with honor and dignity in all of his roles at the station, including leadership roles; and

WHEREAS, Dan has served as a Fire Fighter, Lieutenant, and Captain of Station 6. Additionally, Fire Fighter Carcone was selected as the Station Member of the Year for Station 6 in 2002; and

WHEREAS, Dan not only serves as an evaluator for the fire academy, but is also a role model for Troy's new fire recruits and always willing to share his knowledge and experience with others. He has also been instrumental in conducting a number of live fire training sessions in acquired structures which provide invaluable experience for department personnel; and

WHEREAS, In addition to his fire service, **Dan** is employed by Imperva as the Senior Security Engineer and is always willing to provide assistance above and beyond his fire department and career responsibilities by his willingness to accept special assignments that serve and benefit his community; and

WHEREAS, Through **Fire Fighter Carcone's** leadership, commitment, hard work and countless hours of service, the Troy Fire Department has become even more efficient in its delivery of quality fire protection to the community.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Troy, does hereby join with the citizens of Troy, to express sincere congratulations to **Fire Fighter Dan Carcone** on the occasion of being chosen **2008 Fire Fighter of the Year** by the Troy Fire Department.

BE IT FURTHER RESOLVED that the City Council commends **Dan** for his achievement, leadership and dedicated service to the citizens of Troy.

Presented this 2nd day of June 2008.



CITY COUNCIL REPORT

DATE: May 27, 2008

TO: Phillip L. Nelson, City Manager

FROM: Brian Murphy, Assistant City Manager/ Economic Development Services
Mark Stimac, Director of Building and Zoning

SUBJECT: Public Hearing, Outdoor Seating Request in Excess of 20 Seats
Buffalo Wild Wings, 1873 E. Big Beaver Road

Background:

- We have received an application from Michael Ansley, franchisee of the Buffalo Wild Wings proposed at 1873 E. Big Beaver, for outdoor dining for 24 seats in conjunction with the new restaurant.
- The property in question is located in the B-2 (Community Business) Zoning District.
- Section 21.30.05 of the Troy Zoning Ordinance allows outside seating areas in excess of 20 seats as a use permitted subject to Special Use Approval by City Council (in lieu of the Planning Commission).
- The procedures for Special Use Approval requires that a public hearing be held on the matter.
- A public hearing is scheduled for your meeting of May 12, 2008.
- The indoor seating at this location is proposed to 269 seats.
- The outdoor seating area is proposed to be located at the southwest corner of their space and enclosed by a 4' high fence as shown on the attached detail.
- On October 19, 2007 the Board of Zoning Appeals considered a variance to the number of required parking spaces for this shopping center in connection with the construction of the Buffalo Wild Wings. In consideration of that variance all seating, including the outdoor seating, was calculated in the variance.

Financial Considerations:

- There are no financial considerations.

Legal Considerations:

- Public hearing notices for the special use approval were sent to adjacent property owners and published as required by the Troy Zoning Ordinance and the State of Michigan Municipal Planning Act.

Policy Considerations:

- Enhance the livability and safety of the Community (Goal I)
- Retain and attract investment while encouraging redevelopment (Goal III).

Options:

- City Council can approve the request.
- City Council can deny the request.
- City Council can approve the request with conditions.

RECEIVED

APR 04 2008

OUTDOOR DINING APPLICATION

BUILDING DEPT.

Applications shall be accompanied by fully dimensioned plans indicating the location of the proposed seating area within the subject site, the layout of the proposed outside seating, and information as to any proposed building or site alterations, seating area enclosure elements, etc.

Setbacks for outside seating area involving the construction of "structures" as defined by the Building Code shall be at least equal to those required for conventional buildings within the applicable zoning district.

Outside seating areas shall not occupy required sidewalk areas or required landscape areas.

In their consideration for outside seating, the City Council, when involved, may require modification or rearrangement of inside and outside seating areas in order to assure that adequate parking is available.

Restaurants and food service establishments selling or serving alcoholic beverages shall further be subject to the requirements of the Michigan Liquor Control Commission.

NAME OF BUSINESS: Buffalo Wild Wings Grill + Bar

ADDRESS OF BUSINESS: 1873 E. Big Beaver Rd.

NAME OF APPLICANT: Michael Ansley

ADDRESS: 21751 N. Eleven Mile Rd. Ste. 208

Southfield, MI 48076 PHONE: (248) 223-1960 ext. 106

NUMBER OF SEATS: Existing Inside 267

Proposed Outside: 24

NUMBER OF AVILABLE PARKING SPACES: 131

WILL INSIDE SEATS BE ASSIGNED FOR OUTDOORS? Yes No X

Signature: [Handwritten Signature]

Date: 4/3/2008

OUTDOOR DINING APPLICATION

OWNER AFFIDAVIT

I Dennis Bostick as owner/representative
(name)

of the property located at 1873 E. Big Beaver Rd

do approve of BUFFALO Wild Wings Grill + Bar
(business)

providing 24 seats for outdoor dining.

Signature: Dennis Bostick

Date: 4-4-08

DO NOT FILL IN - FOR USE BY BUILDING DEPARTMENT

**OUTDOOR DINING
CERTIFICATE OF APPROVAL**

NAME OF BUSINESS: _____

ADDRESS: _____

OWNER/MANAGER: _____

NUMBER OF SEATS _____

DATE APPROVED: _____

BY: _____
City of Troy, Building Department

3/8" METAL PLATE. ALTERNATE SQUARES TO BE PAINTED YELLOW (TYP. PATTERN).

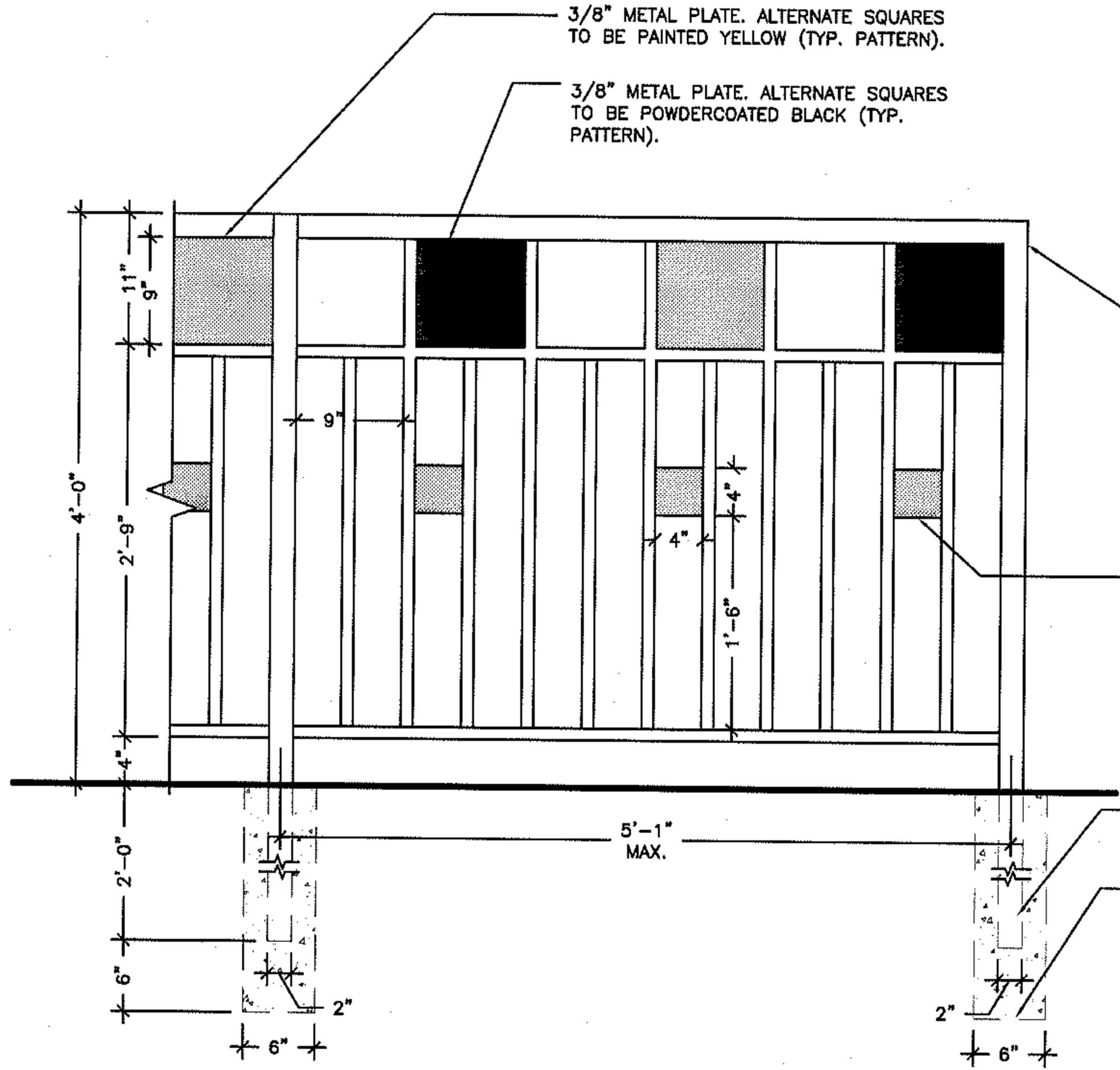
3/8" METAL PLATE. ALTERNATE SQUARES TO BE POWDERCOATED BLACK (TYP. PATTERN).

T.S. 2X2 FENCE RAIL/POST SET EQUIDISTANT IN FULL NON-SHRINK GROUT POCKET. WELD AND GRIND SMOOTH. (POWDERCOAT BLACK).

3/8" METAL PLATE (PAINT YELLOW)

FENCE POST TO BE INSTALLED IN CONCRETE AS INDICATED.

CORE DRILL HOLES TO BE FILLED W/ CONCRETE. G.C. TO ENSURE FENCE POST IS ANCHORED IN CONCRETE.



A Regular Meeting of the Troy City Council was held Monday, May 12, 2008, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:30 PM.

Pastor Dennis Wegner of Troy Church of the Nazarene 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
- Mayor Pro Tem Martin Howrylak
- Mary Kerwin

CERTIFICATES OF RECOGNITION:

A-1 Presentations:

- a. A Proclamation Celebrating Athens High School – Advanced Placement School of the Year Award was given to the Principle and Staff of Athens High School.
- b. The 2008 Top Ten Public Works Leaders of the Year by the American Public Works Association was presented to Samuel P. Lamerato.

CARRYOVER ITEMS:

B-1 No Carryover Items

PUBLIC HEARINGS:

C-1 Rezoning Application – Proposed Troy Museum and Historic Village Expansion, North Side of Wattles, West of Livernois, Section 16 – R-1B to C-F (File Number Z-730)

The Mayor opened the Public Hearing.

The Mayor closed the Public Hearing after receiving comment from the following speakers:

Ron Boykus spoke in support of the rezoning

Resolution #2008-05-146

Moved by Kerwin

Seconded by Howrylak

WHEREAS, The City is in receipt of a rezoning request, from R-1B to C-F, File Number Z-730, as demonstrated by the Ordinance to amend Chapter 39 of the Code of the City of Troy;

WHEREAS, The application is consistent with the Future Land Use Plan, and is compatible with surrounding zoning districts and land uses; and

WHEREAS, The rezoning is recommended for approval by the Planning Commission;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the proposed rezoning from R-1B to C-F; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **AMENDS** the Zoning District Map.

Yes: All-7

MOTION CARRIED

C-2 Zoning Ordinance Text Amendment (File Number: ZOTA 233) – Article III – Digital Application Submission Requirements

The Mayor opened the Public Hearing
The Mayor closed the Public Hearing after receiving no comments.

Resolution #2008-05-147
Moved by Beltramini
Seconded by Fleming

RESOLVED, That Troy City Council hereby **AMENDS** Article III (APPLICATIONS AND PROCEDURES) of the City of Troy Zoning Ordinance, pertaining to digital application submission requirements, to read as written in the proposed Zoning Ordinance Text Amendment (ZOTA 233), City Council Public Hearing Draft, as recommended by the Planning Commission.

Yes: All-7

MOTION CARRIED

C-3 Outdoor Seating Request in Excess of 20 Seats – Buffalo Wild Wings, 1873 E. Big Beaver Road

The public hearing was cancelled due to insufficient public hearing notice.

POSTPONED ITEMS:

D-1 Standard Purchasing Resolution 1: Award to Low Bidder – Printing/Distribution of Water and Sewer Bills

Resolution
Moved by Fleming
Seconded by Broomfield

RESOLVED, That Troy City Council hereby **AWARDS** a one (1) year contract to provide laser printing and distribution of the City of Troy water and sewer bills, with an option to renew for three (3) additional one (1) year periods to next lowest total bidder, LaserCom of Troy, Michigan for an estimated total cost of \$12,874.94 per year, plus the actual cost of first class postage, at unit prices contained in the bid tabulation opened April 1, 2008, a copy of which shall be **ATTACHED** to the original Minutes of this meeting expiring April 30, 2009 because

LaserCom is a Troy, Michigan business and there is the minimum difference of .18% between their bid and the low total bidder, American Mailers, Inc. of Detroit, Michigan.

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon all of the same specified requirements imposed upon American Mailers, Inc.

Vote on Resolution to Amend by Substitution

Resolution #2008-05-148
Moved by Howrylak
Seconded by Beltramini

RESOLVED, That Troy City Council hereby **AMENDS BY SUBSTITUTION** the *Standard Purchasing Resolution 1: Award to Low Bidder – Printing/Distribution of Water and Sewer Bills* by **STRIKING** it in its entirety and **INSERTING**, “RESOLVED, That Troy City Council hereby **AWARDS** a one (1) year contract to provide Laser Printing and Distribution of the City of Troy Water and Sewer Bills, with an option to renew for three (3) additional one (1) year periods to low total bidder, American Mailers, Inc. of Detroit, MI for an estimated total cost of \$12,851.00 per year, plus the actual cost of first class postage, at unit prices contained in the bid tabulation opened April 1, 2008, a copy of which shall be **ATTACHED** to the original Minutes of this meeting expiring April 30, 2009.

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

MOTION CARRIED

Vote on Resolution as Amended by Substitution

Resolution #2008-05-149
Moved by Fleming
Seconded by Broomfield

RESOLVED, That Troy City Council hereby **AWARDS** a one (1) year contract to provide Laser Printing and Distribution of the City of Troy Water and Sewer Bills, with an option to renew for three (3) additional one (1) year periods to low total bidder, American Mailers, Inc. of Detroit, MI for an estimated total cost of \$12,851.00 per year, plus the actual cost of first class postage, at unit prices contained in the bid tabulation opened April 1, 2008, a copy of which shall be **ATTACHED** to the original Minutes of this meeting expiring April 30, 2009.

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

MOTION CARRIED

PUBLIC COMMENT: Limited to Items Not on the Agenda

Thomas Burke spoke about the 2008/09 City Budget.
Ted Wilson spoke about the Michigan Business Tax.

REGULAR BUSINESS:

E-1 **Appointments to Boards and Committees: a) Mayoral Appointments: None b) City Council Appointments: Personnel Board**

(a) **Mayoral Appointments - None**

(b) **City Council Appointments**

Resolution #2008-05-150
 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:

Personnel Board

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

Susan Werpetinski

Term Expires 04/30/11

Yes: All-7

E-2 **Nominations for Appointments to Boards and Committees: (a) Mayoral Nominations: Brownfield Redevelopment Authority; and Economic Development Corporation (b) City Council Nominations: Cable Advisory Committee; and Youth Council**

(a) **Mayoral Nominations**

Resolution #2008-05-151
 Moved by Schilling
 Seconded by Kerwin

RESOLVED, That the Mayor of the City of Troy hereby **FORWARDS** the following nominated person(s) to serve on the Boards and Committees as indicated to the next Regular City Council Meeting for action:

Brownfield Redevelopment Authority

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

Donald F. Schenk

Unexpired Term 04/30/11

Joseph J. Vassallo

Unexpired Term 04/30/09

Economic Development Corporation

Appointed by Mayor (9-Regular) – 6-Year Terms

Donald L. Edmunds

Unexpired Term 04/30/14

Yes: All-7

(b) City Council Nominations

Resolution #2008-05-152

Moved by Howrylak

Seconded by Eisenbacher

RESOLVED, That Troy City Council hereby **FORWARDS** the following nominated person(s) to serve on the Boards and Committees as indicated to the next Regular City Council Meeting for action:

Cable Advisory Committee

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

Padma Kuppa

Unexpired Term 09/30/09

Youth Council

Appointed by Council (13-Regular) – 1-Year Term

Disha Bora

Term Expires 06/01/09

Geon Woo Kim

Term Expires 06/01/09

Joseph Niemiec

Term Expires 06/01/09

Shaina Sekhri

Term Expires 06/01/09

Neil Shaw

Term Expires 06/01/09

David Wylie

Term Expires 06/01/09

Willa Adamo

Term Expires 06/01/09

Jason Lee

Term Expires 06/01/09

Vikram Prasad

Term Expires 06/01/09

Sevita Rama

Term Expires 06/01/09

Rachita Singh

Term Expires 06/01/09

Emily Wang

Term Expires 06/01/09

Yes: All-7

E-3 Amendment to Chapter 18 and Proposed Contract with Detroit Water and Sewerage Department

(a) Resolution Amending Chapter 18 of City Ordinance

Resolution

Moved by Kerwin

Seconded by Schilling

WHEREAS, In 1961 the City of Troy and the Detroit Water and Sewerage Department (DWSD) entered into a 35 year contract to provide wholesale water;

WHEREAS, In 2004 the DWSD and 126 municipal customers, through the Technical Advisory Committee (TAC), developed a new model water contract to minimize price volatility and create equity among wholesale water customers;

WHEREAS, The new model contract will be the mechanism to set wholesale water rates for the next 30 years and subject each customer to the same contract terms, with the exception that some communities will qualify for reduced fees based on limitations to peak water usage;

WHEREAS, To gain the greatest opportunity for reduced future water rates, and in addition to community education, capital improvement programs and restrictions to City operated irrigation systems, the only remaining piece is implementation of the ordinance amendment limiting automatic sprinkling during peak hours; and

WHEREAS, If Council decides not to amend Chapter 18, then City Administration will need to negotiate new terms with DWSD;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **ADOPTS** the Ordinance to Amend Chapter 18 of the City Code, City Water Utility, as recommended by the City Administration, a copy of which shall be **ATTACHED** to the original minutes of this meeting.

Vote on Resolution to Postpone

Resolution #2008-05-153

Moved by Howrylak

Seconded by Broomfield

RESOLVED, That the proposed resolution to amend Chapter 18, City Water Utility, of the City Ordinance be **POSTPONED** to the Regular City Council meeting of May 19, 2008.

Yes: Broomfield, Eisenbacher, Fleming, Howrylak

No: Schilling, Beltramini, Kerwin

MOTION CARRIED

Council Member Broomfield left the meeting at 9:42pm

The meeting **RECESSED** at 9:42 PM.

The meeting **RECONVENED** at 9:51 PM.

(b) Resolution Approving Contract with Detroit Water and Sewerage Department

City Administration requested that the item be removed to be considered after the proposed Chapter 18 – City Water–Utility Ordinance discussion at the May 19, 2008 Regular Meeting.

CONSENT AGENDA:

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

Resolution #2008-05-154
Moved by Beltramini
Seconded by Kerwin

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Items F-5 and F-4b, which **SHALL BE CONSIDERED** after Consent Agenda (F) items, as printed.

Yes: Beltramini, Eisenbacher, Fleming, Howrylak, Kerwin, Schilling
No: None
Absent: Broomfield

MOTION CARRIED

F-2 Approval of City Council Minutes

Resolution #2008-05-154-F-2

RESOLVED, That Troy City Council hereby **APPROVES** the Minutes of the 7:30 PM Regular City Council Meeting of April 21, 2008; the Minutes of the 7:30 PM Special City Council Meeting of April 28, 2008; and the Minutes of the 7:30 PM Special City Council Meeting of May 5, 2008 as submitted.

F-3 Proposed City of Troy Proclamations:

Resolution #2008-05-154-F-3

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

- a) Celebrating Athens High School Advanced Placement School of the Year for the State of Michigan
- b) Police Memorial Day – May 15, 2008
- c) Honoring William Beaumont Hospital Dedicated Volunteers

F-4 Standard Purchasing Resolutions**a) Standard Purchasing Resolution 8: Best Value Award – Troy Daze Fireworks**

Resolution #2008-05-154-F-4a

RESOLVED, That Troy City Council hereby **AWARDS** a contract to provide three-year requirements of fireworks display for the Magic of Fall / Troy Daze Festival for years 2008, 2009 and 2010 to the highest rated bidder, Mad Bomber Fireworks Productions of Kingsbury, IN, as a result of a best value process at a total cost of \$15,000.00, or \$5,000.00 per year; and

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

F-6 Approval of Purchase Agreement and Acceptance of Permanent Drainage Easement, John R Road Improvements, Long Lake Road to Square Lake Road Project No. 02.203.5 – Parcel #13 – Sidwell #88-20-11-226-005 – Antoinette L. Brubaker

Resolution #2008-05-154-F-6

RESOLVED, That Troy City Council hereby **APPROVES** the Agreement to Purchase Realty for Public Purposes between Antoinette L. Brubaker, owner of property having Sidwell #88-20-11-226-005, and the City of Troy, for the acquisition of right-of-way for John R Road Improvements, Long Lake Road to Square Lake Road in the amount of \$49,799.00, 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 reimburse the property owner \$1,000.00 for costs associated with the review of the offer; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **ACCEPTS** the Permanent Drainage Easement in the amount of \$100.00 from Antoinette L. Brubaker, owner of property having Sidwell #88-20-11-226-005; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to record the Warranty Deed and the Permanent Drainage Easement with the Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-7 Contract OEM Replacement Parts for Golf and Turf Maintenance Equipment

Resolution #2008-05-154-F-7

WHEREAS, On July 11, 2005, Troy City Council approved three-year contracts to purchase miscellaneous original equipment manufacturers replacement parts for the Golf Division with the exclusive distributors in Michigan - Midwest Golf and Turf, (formerly known as WF Miller Company), Weingartz and Spartan Distributors (Resolution #2005-07-332a & 332b-F2); and

WHEREAS, All three suppliers have agreed to extend a one-year contract under the same pricing structure, terms and conditions as their original contracts;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **WAIVES** formal bidding procedures and current contracts to purchase OEM replacement parts for golf and turf maintenance equipment from Midwest Golf and Turf of Cincinnati, OH, Weingartz of Farmington Hills, and Spartan Distributors of Sparta, MI are hereby extended under the same pricing structure, terms, and conditions as the original contracts to expire June 30, 2009.

F-8 Rescind/Re-Award Contract – Liquid Calcium Chloride, Option B – Resolution #2008-04-120-F4e

Resolution #2008-05-154-F-8

WHEREAS, On April 7, 2008, one-year contracts to provide Liquid Calcium Chloride with an option to renew for one (1) additional year on an option by option basis was awarded to the lowest acceptable bidders: South Huron Industrial, Inc. of Flatrock, MI, Options A and C, and Suburban Oil Company of Taylor, MI, Option B (Resolution # 2008-04-120-F4e); and

WHEREAS, Suburban Oil Company has withdrawn from the bid process due to the high cost to acquire excess umbrella liability insurance as specified;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **RESCINDS** with prejudice the contract to provide liquid calcium chloride under Option B, with an option to renew for one (1) additional year from Suburban Oil Company, and **RE-AWARDS** to the next lowest acceptable bidder, South Huron Industrial, Inc. of Flatrock, MI, which also includes services under Options A and C, at unit prices contained in the bid tabulation opened March 5, 2008, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with the contract expiring March 31, 2009.

F-9 Authorization Requesting Reimbursement – Oakland County West Nile Virus Fund

Resolution #2008-05-154-F-9

RESOLVED, That Troy City Council hereby **AUTHORIZES** the City of Troy Parks and Recreation Department to seek reimbursement in the amount of \$30,057.91 from the Oakland County West Nile Virus Fund for expenditures incurred while instituting proactive public health measures to reduce the population of infected mosquitoes in the environment.

F-10 Assessment of Delinquent Accounts

Resolution #2008-05-154-F-10

WHEREAS, Section 1.167 of Chapter 5 and Section 6 of Chapter 20 of the Ordinance Code of the City of Troy require that delinquent payments and invoices, as of April 1st of each year, shall be reported and the City Council shall certify the same to the City Assessor who shall assess the same on the next annual City Tax Roll, to be collected as provided for collection of City Taxes;

WHEREAS, Section 10.8 of the Troy City Charter provides for the collection of delinquent invoices through property tax collection procedures; and

WHEREAS, A list of individual properties is on file in the Office of the Treasurer and comprises a summation of totals as follows:

General Fund Invoices	
Including Penalties	\$ 29,095.89
Special Assessments	
Including Penalties & Interest	5,688.13
Water & Sewer Accounts	
Including Penalties	<u>820,710.86</u>
Total	\$855,494.88

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **AUTHORIZES** the City Assessor to assess these delinquent accounts on the annual City Tax Roll.

F-1b Address of "F" Items Removed for Discussion by City Council and/or the Public**F-4 Standard Purchasing Resolutions****b) Standard Purchasing Resolution 4: US Communities Cooperative Purchasing Program – Landscape Structures, Inc.**

Resolution #2008-05-155

Moved by Fleming

Seconded by Beltramini

RESOLVED, That Troy City Council hereby **APPROVES** a contract to purchase and install an Aquarium Display Wall, Mastodon Head Mount and Sandbox through the US Communities Cooperative Purchasing Program Contract #040377 with Landscape Structures, Inc. for an estimated total cost of \$82,792.00; and

BE IT FURTHER RESOLVED, That the contract is **CONTINGENT** upon contractor submission of proper insurance certificate(s), bonds and any other specified requirements.

Yes: Eisenbacher, Fleming, Howrylak, Kerwin, Schilling, Beltramini
No: None
Absent: Broomfield

MOTION CARRIED

F-5 Traffic Committee Recommendations – April 16, 2008

Resolution #2008-05-156
Moved by Beltramini
Seconded by Fleming

Installation of NO PARKING Mon.- Fri. 7 a.m.-5 p.m. Signs on the West Side of Fieldstone from South Boulevard to White Tail Drive

RESOLVED, That Traffic Control Order No. 08-02-P be **ISSUED** for the installation of “NO PARKING Mon.- Fri. 7 a.m.-5 p.m.” signs on the west side of Fieldstone from South Boulevard to White Tail Drive.

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

MOTION CARRIED

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings:

- a. Outdoor Seating Request in Excess of 20 Seats – Buffalo Wild Wings, 1873 E. Big Beaver Road – June 2, 2008
Noted and Filed

G-2 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:

I-1 Council Comments

Council Member Kerwin invited colleagues to experience some courses regarding civility and water. Council Member Kerwin encouraged participation in two upcoming classes, one on Civility and one on Water.

REPORTS:

J-1 Minutes – Boards and Committees:

- a) Brownfield Redevelopment Authority/Final – April 17, 2007
- b) Joint Local Development Finance Authority – Troy Subcommittee/Final – May 7, 2007
- c) Historic District Commission/Final – January 15, 2008
- d) Cable Advisory Committee/Final – January 16, 2008
- e) Historic Commission/Final – January 22, 2008
- f) Historic District Commission/Final – February 19, 2008
- g) Historic District Commission/Final – March 18, 2008
- h) Downtown Development Authority/Final – March 19, 2008
- i) Traffic Committee/Final – March 19, 2008
- j) Election Commission/Final – March 27, 2008
- k) Building Code Board of Appeals/Final – April 2, 2008
- l) Youth Council/Final – April 2, 2008
- m) Planning Commission/Draft – April 8, 2008
- n) Planning Commission/Final – April 8, 2008
- o) Board of Zoning Appeals/Draft – April 15, 2008
- p) Cable Advisory Committee/Draft – April 17, 2008
- q) Election Commission/Draft – April 18, 2008
- r) Youth Council/Draft – April 23, 2008

Noted and Filed

J-2 Department Reports:

- a) Assessing Department – 2008 City of Troy Assessment Roll and Board of Review Report
- b) Council Member Kerwin's Travel Expense Report – Alliance Program on Sustainable Development in Birmingham on April 17, 2008
- c) Council Member Beltramini's Travel Expense Report – 2008 Michigan Municipal League Region 1 Education Seminar in Wixom on April 18, 2008
- d) Council Member Kerwin's Travel Expense Report – 2008 Michigan Municipal League Region 1 Education Seminar in Wixom on April 18, 2008
- e) Building Department – Permits Issued During the Month of April, 2008

Noted and Filed

J-3 Letters of Appreciation:

- b) Letter of Thanks from Susick Elementary School to Mark Miller, Mark Stimac, and Tim Richnak
- c) Letter of Congratulations to Mayor Schilling from State Senator John Pappageorge on the City of Troy Receiving the Traffic Safety Award
- d) Letter of Thanks to Mayor Schilling from David Peskin, CEO of World Alliance Financial for Participation at a Press Conference
- e) Letter of Thanks to Peggy Sears from Judith Chambers, Shelby Township Library, Commending the Human Resources Department Staff

Noted and Filed

J-4 Proposed Proclamations/Resolutions from Other Organizations:

- a) Resolution from the Oakland County Board of Commissioners Urging all Law Enforcement Agencies in Oakland County to Participate in the Sheriff Telling Our Parents and Promoting Educated Drivers (STOPPED) Program
Noted and Filed

J-5 Calendar

Noted and Filed

-
- J-6 Communication from the State of Michigan Public Service Commission Regarding Notice of Hearing for the Customers of The Detroit Edison Company – Case No. U-12478**

Noted and Filed

-
- J-7 Communication from the State of Michigan Public Service Commission Regarding Notice of Hearing for the Customers of The Detroit Edison Company – Case No. U-14838**

Noted and Filed

-
- J-8 Communication from the State of Michigan Public Service Commission Regarding Notice of Hearing for the Customers of The Detroit Edison Company – Case No. U-15002-R**

Noted and Filed

-
- J-9 Troy Youth Assistance Board Meeting Draft Minutes from April 17, 2008**

Noted and Filed

-
- J-10 Communication from Purchasing Director Susan Leirstein Regarding Local Preference Issue**

Noted and Filed

Members of City Council and City Administration discussed the feasibility and issues pertaining to the local preference option.

-
- J-11 Troy Library 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

Resolution #2008-05-157
Moved by Eisenbacher
Seconded by Howrylak

BE IT RESOLVED, That Troy City Council **SHALL MEET** in Closed Session, as permitted by MCL 15.268 (e), Pending Litigation – Mary Ann Hennig v. City of Troy et. al.

Yes: Howrylak, Kerwin, Schilling, Beltramini, Eisenbacher, Fleming
No: None
Absent: Broomfield

MOTION CARRIED

The meeting **RECESSED** at 10:27 PM.

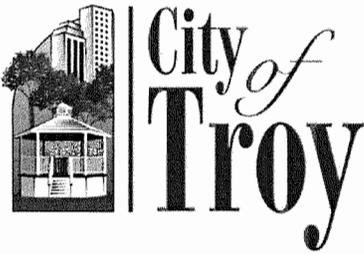
The meeting **RECONVENED** at 10:35 PM.

ADJOURNMENT

The meeting **ADJOURNED** at 10:48 PM.

Louise E. Schilling, Mayor

Tonni L. Bartholomew, MMC
City Clerk



CITY COUNCIL ACTION REPORT

May 22, 2008

TO: Phillip L. Nelson, City Manager

FROM: John M. Lamerato, Assistant City Manager/Finance & Administration
Brian P. Murphy, Assistant City Manager/Economic Development Services

SUBJECT: Approval of the Troy Local Development Finance Authority's 2008/09 Budget

Background:

- The Troy Local Development Finance Authority (LDFA) approved their proposed 2008/09 budget at the April 28, 2008 LDFA meeting.

Options:

- It is recommended that City Council approve the LDFA's 2008/09 budget.

CITY OF TROY
 LOCAL DEVELOPMENT FINANCE AUTHORITY
 2008-09
 PROPOSED BUDGET

REVENUE

Property Tax	\$270,000
Interest Income	5,000
	\$275,000

EXPENDITURES

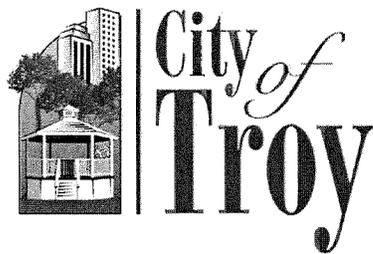
Automation Alley Technology Center - Operations	162,000
Automation Alley Technology Center - Building	45,500
Administrative Services	10,000
Marketing Costs	57,500
	\$275,000

CAPTURED TAXABLE VALUE
 2008-09

	Taxable Value
2008 - Total Value	24,947,540
2003 - Initial Value	14,447,380
Captured Taxable Value	10,500,160

	Oakland County	Oakland Comm. College	City of Troy	Transportation	Intermediate	Operating	Total
Millage Rates	4.6461	1.5844	8.7800	0.5950	1.6845	9.0000	26.2900
Captured Yield							276,049

Note: Millage rates estimated - budget @ 98%



CITY COUNCIL ACTION REPORT

May 22, 2008

TO: Phillip L. Nelson, City Manager

FROM: John M. Lamerato, Assistant City Manager/Finance & Administration
Brian P. Murphy, Assistant City Manager/Economic Development Services

SUBJECT: Approval of the Troy Brownfield Redevelopment Authority's 2008/09 Budget

Background:

- The Troy Brownfield Development Authority (BRA) approved their proposed 2008/09 budget at the April 15, 2008 BRA meeting.

Options:

- It is recommended that City Council approve the BRA's 2008/09 budget

CITY OF TROY
 BROWNFIELD REDEVELOPMENT AUTHORITY
 2008-2009
 PROPOSED BUDGET

REVENUE

Property Tax	\$796,000
Interest	60,000
	\$856,000

EXPENDITURES

Remediation Revolving Fund	\$825,030
Operating Supplies	1,500
Consultant Services	10,000
Education & Training	4,000
Tax Appeals	600
Administrative Services	10,000
Payment to TCF Bank	4,870
	\$856,000

CAPTURED TAXABLE VALUE
 2008-2009

	Midtown TV	TCF TV	Total
2008 - Total Value (1)	59,026,860	521,860	59,548,720
2005 - Initial Value		197,940	5,421,830
2000 - Initial Value	5,421,830		
Captured Taxable Value	53,771,188	323,920	54,095,108

(1) Midtown TV excludes \$166,158 negative capture from Transit Center

	Oakland County	Oakland Comm. College	City of Troy	Total
Millage Rates	4.6461	1.5844	8.78	15.0105
Captured Yield				811,995

Note: Millage rates estimated - budget @ 98%



CITY COUNCIL ACTION REPORT

May 16, 2008

TO: Mayor and City Council Members

FROM: Phillip L. Nelson, City Manager

SUBJECT: Scheduling a Special Meeting for a Preliminary Discussion of the Budgeting for Outcomes (BFO) Process

I request that City Council schedule a study session so that Administration may present a preliminary outline of the budgeting for outcomes (BFO) process.

The first step for Council will be to establish what are called outcome statements. Prior to the study session I will submit a recommended list of outcome statements based on the goals already established by Council, and a spreadsheet to help Council assign weights, or priorities, to the desired outcomes.

I am recommending that the study session be held on an evening when there is not a regularly scheduled Council meeting. As such, I offer the following dates and times:

- Monday, June 23, 2008 at 7:30 PM in the Council Board Room
- Wednesday, June 25, 2008 at 7:30 PM in the Council Board Room
- Monday, July 14, 2008 at 7:30 PM in the Council Board Room
- Wednesday, July 16, 2008 at 7:30 PM in the Council Board Room
- Monday, July 28, 2008 at 7:30 PM in the Council Board Room
- Wednesday, July 30, 2008 at 7:30 PM in the Council Board Room

c: Lori Grigg Bluhm, City Attorney
John Lamerato, Assistant City Manager/Finance & Administration
Brian Murphy, Assistant City Manager/Economic Development Services
James Nash, Financial Services Director



TO: Members of Troy City Council
FROM: Lori Grigg Bluhm, City Attorney
Susan M. Lancaster, Assistant City Attorney
Christopher J. Forsyth, Assistant City Attorney
DATE: May 28, 2008
SUBJECT: Mary Ann Hennig v. City of Troy et. al.

Plaintiff has filed this lawsuit, claiming that the City is liable for injuries she sustained after her vehicle was struck by a Troy Police Officer as he was pursuing a suspected drug dealer. Plaintiff's complaint alleges that the City of Troy is liable because the police operated the motor vehicle in a negligent manner. Plaintiff's complaint alleges she suffered injuries to her head, neck, back, and knees. A jury trial is set for 7/29/2008.

The City filed a Motion for Summary Disposition after conducting extensive discovery. We argued in the motion that there was no negligence on the part of the City of Troy or the police officer who collided with Plaintiff, and therefore she is precluded from recovery, based on governmental immunity. Further, the City argued that Plaintiff's injuries fail to meet the threshold standard of the Michigan No Fault Act, which provides that an injury must constitute a "serious impairment of a body function".

The Court heard oral argument on our motion on April 23, 2008. At the conclusion of the hearing, Judge Mester denied our motion, finding that there were factual questions about whether the police officers were negligent. He also found that there were factual questions as to the extent of Plaintiff's injuries. Judge Mester's opinion does not specifically articulate what City actions he thought a jury might find negligent. Instead, he focused on the presence of non-involved passenger cars on the roadway, and briefly discussed the argument raised by Plaintiff that the officers could have used the shoulder of the roadway to pass slower moving cars, and/or that less police cars could have been involved in the pursuit. Judge Mester also relied on an affidavit, produced by Plaintiff's doctor, in finding that there were factual questions as to the extent of any neurological damage of the Plaintiff. This affidavit stated that Plaintiff suffered a closed head injury, which Judge Mester determined was enough to defeat a motion for summary disposition on the issue of whether the "serious impairment of a body function" threshold was satisfied.

Since Judge Mester's decision on April 22, 2008, the Michigan Supreme Court has reversed a Court of Appeals decision, *Minter v. City of Grand Rapids, et. al.* (Docket No. 133988, decided April 25, 2008). In *Minter*, the Supreme Court considered what proofs would be required to survive a motion for summary disposition on the issue of the threshold for a "serious impairment of a bodily function" in alleged closed head injury cases. On May 7th, we filed a motion asking Judge Mester to reconsider his denial of our motion for summary disposition in light of the *Minter* decision, and also since the opinion did not detail which actions were allegedly negligent. On May 14, 2008, Judge Mester denied the motion for reconsideration.

We are requesting permission to file an immediate appeal of Judge Mester's decision denying governmental immunity. Under Michigan law, this is an appeal of right that can be filed prior to the case proceeding to jury trial. Although we cannot predict the outcome of an appeal of the denial of governmental immunity, we contend that Judge Mester erred in his decision. Judge Mester's decision on the threshold injury was also arguably flawed, especially in light of the *Minter* decision. However, the Court's ruling that the Plaintiff had satisfied the threshold in establishing a "serious impairment of a body function" is not something that can be appealed at this time as of right. For judicial economy, we could ask the Michigan Court of Appeals for leave to appeal this issue at the same time as the governmental immunity issue is being appealed.

A resolution authorizing an appeal is attached for your consideration. If you have any questions, please let us know.



CITY COUNCIL ACTION ITEM

Date May 29, 2008

TO: Mayor and City Council

FROM: Phillip L. Nelson, City Manager
Lori Grigg Bluhm, City Attorney
Tonni L. Bartholomew, City Clerk

SUBJECT: **Resolution to Establish Historic District Study Committee Terms**

Background:

- City Council amended Chapter 13 Historic Preservation ordinance on November 17, 2003 to provide for a Historic District Study Committee. The resolution and ordinance amendment provided for the appointment of members and the criteria for member selection, however there was no consideration of term limits in the documents.

While there is no requirement for terms, it is the practice of the city in the formation of all of its boards and committees to incorporate terms and it is the belief that the city is best served with this criteria.

City Administration recommends that the membership criteria be expanded and that 3-year staggering terms be added to the membership criteria. The initial term allocation can be determined by the pulling of lots.

Financial Considerations:

- There are no financial considerations associated with this item.

Legal Considerations:

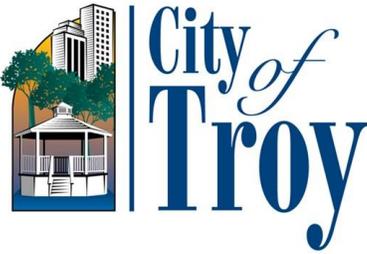
- There are no legal considerations associated with this item.

Policy Considerations:

- There are no policy considerations associated with this item.

Options:

- Adopt the attached resolution to establish terms for the Historic District Study Committee Members.
- Continue the practice of appointing members to the committee with no term limitation.



CITY COUNCIL ACTION REPORT

May 28, 2008

TO: Mayor and City Council Members

FROM: Phillip L. Nelson, City Manager
John M. Lamerato, Assistant City Manager/Finance & Administration
Susan A. Leirstein, Purchasing Director
Steven A. Pallotta, Building Operations Director

SUBJECT: Proposed Relocation of the City Treasurer's Office and Planning Department

Background

- City Management has begun preparing the groundwork for budgeting for outcomes. An analysis has been performed of the interrelationship between departments to see if efficiency can be improved by housing similar functions closer together. Management's findings, along with Zucker report recommendations, have led us to propose relocating the City Treasurer's Office and the Planning Department.
- It is recommended that the City Treasurer's Office be moved so that it is next door to the City Assessor's Office, which shares some overlapping activities. Customer service staff in both departments will be cross-trained to work in either area, so when one office has a cyclical increase in workload the other office can provide support, and vice versa. This will allow us to maintain appropriate staffing levels more economically in addition to providing better customer service.
- Streamlining department functions and cross-training staff will enable us to immediately eliminate a (vacant) Account Clerk II position in the City Treasurer's Office.
- It is recommended that the Planning Department be moved so that it is next door to the Building Department, where overlapping activities occur. Situating Planning and Building next door to each other makes it more convenient for customers to do business with both departments. Staff in these departments will also be cross-trained to work in either area.
- Reconfiguration of office space needs to occur in order to allow access between the City Treasurer's Office and the City Assessor's Office, and between the Planning and Building Departments. The City Treasurer's Office and the Planning Department are two of the last departments at City Hall to be brought up to current building standards. Neither space has been renovated in over 15 years; we are not proposing to reconfigure areas that have been updated.

Mayor and City Council Members

Proposed Relocation of the City Treasurers Office and Planning Department

May 28, 2008

Page Two

- Reconfiguration will be performed in-house, by the Building Operations Department. The first step is to temporarily relocate the Planning Department to the first floor space currently occupied by Real Estate and Development. Real Estate and Development's staff will temporarily relocate to areas presently vacant in the Engineering Department.
- The space vacated by the Planning Department on the second floor will be reconfigured to allow the City Treasurer's Office to be located adjacent to the City Assessor's Office.
- The new City Treasurer's Office area will be brought up to the current building standards with adequate fire protection; security service counters; improved heating and cooling; lighting; electrical; carpeting; painting; and data and telephone lines.
- Building Operations will then reconfigure the current City Treasurer's Office space so that Planning can move there.
- The final phase of the project will entail Real Estate and Development returning to their original location on the first floor, next to Engineering.

Financial Considerations

- Elimination of one Account Clerk II position in the City Treasurer's Office results in a cost savings to the General Fund of approximately \$74,000.
- Total cost for reconfiguring the two offices is approximately \$115,000. Funds are available in the City Hall Office Renovation account number 401265.7975.010. A detailed pricing summary is attached.

Legal Considerations

- There are no legal considerations associated with this proposal.

Policy Considerations

As indicated at the beginning of the memo, the relocation of these two departments lays the groundwork for budgeting for outcomes. Relocating the two departments supports the following (current) Council goals:

- Minimize the cost and increase the efficiency and effectiveness of City government
- Effectively and professionally communicate internally and externally

Detailed Pricing for Reconfiguration of
City Treasurer's Office and Planning Department
Square Footage: 1,920

Base Cove	\$ 950
Blinds	1,500
Carpet with Glue \$30.00 per sq. yard X 240 sq. yards	7,200
Ceiling Grid	1,800
Ceiling Tile	1,800
Laminated Entry Doors, with all hardware and locksets	7,200
Drywall includes complete wall construction (Creating access between Treasurer's and Assessor's Office, and Planning and Building)	3,200
Electrical	4,200
Fire Suppression	9,900
HVAC	2,000
Laminates and all substructures	1,800
Lighting	5,000
Paint (2) coats with primer	2,500
Phone and Data	9,000
Modify Assessor's Office Counter (Re-align counter with other counter relocate door)	1,800
Furniture (Utilize existing contract which will Include space analysis of existing furniture, removal of existing furniture, storage, cleaning, and reinstallation of all existing furniture at final locations)	19,000
New Roll Up Doors (2) for Service Counters	6,000
Demolition	4,100
Misc Items	975
Total Estimated Material Cost	\$ 89,925
Labor cost estimated 1000 hrs @ \$25.06 per hr	25,060
Total Project Cost	\$ 114,985

A Regular Meeting of the Troy City Council was held Monday, May 19, 2008, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:31 PM.

Father Stratton Dorozenski of St. Nicholas Greek Orthodox 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
- Mayor Pro Tem Martin Howrylak
- Mary Kerwin

CERTIFICATES OF RECOGNITION:

A-1 No Presentations

CARRYOVER ITEMS:

B-1 No Carryover Items

PUBLIC HEARINGS:

C-1 Adoption of the 2008/09 Annual Budget

The Mayor opened the Public Hearing.

The Mayor closed the Public Hearing after receiving comments from the following speakers:

- | | | |
|--------------------------|--------------|-------------------|
| Cheryl Whitton-Kaszubski | Mike McCarty | Tom Krent |
| Tom Kaszubski | Jerry Pavlat | Thomas Burke |
| Fred Phillips | Ray Braun | Mary Ann Bernardi |

Resolution for the Adoption of the 2008/09 Annual Budget

Resolution
Moved by Kerwin
Seconded by Beltramini

WHEREAS, Section 8.3 of the City Charter directs the City Council to adopt a budget for the ensuing year, beginning July 1, 2008;

NOW, THEREFORE, BE IT RESOLVED, That the following listed re-appropriations, operating transfers-in, and operating revenues of the General Operating Fund are anticipated:

Taxes	\$	36,333,690
Licenses and Permits		1,834,500
Federal Grants		12,100
State Grants		6,760,500
Contributions – Local		180,000
Charges for Services		6,994,650
Fines and Forfeits		996,000
Interest and Rents		1,467,800
Other Revenue		486,070
Operating Transfers – In		5,235,710
Re-appropriation		<u>4,307,060</u>
Total	\$	<u>64,608,080</u> ; and

BE IT FURTHER RESOLVED, That the tax rate for the General Operating Fund shall be six and fifty one-hundredths (6.50) mills on the 2008 taxable valuation; and

BE IT FURTHER RESOLVED, In order to meet anticipated expenses, amounts from the following listed budgetary centers shall be appropriated from the General Operating Fund:

Building Inspection	\$	2,342,420
Council/Executive Administration		4,070,010
Engineering		2,970,870
Finance		3,169,880
Fire		4,335,950
Library /Museum		4,331,380
Other General Government		2,530,800
Police		25,042,630
Parks and Recreation		10,043,680
Streets		<u>5,770,460</u>
Total	\$	<u>64,608,080</u> ; and

BE IT FURTHER RESOLVED, That the following listed re-appropriations and revenues of the Capital Fund are anticipated:

Taxes	\$	8,368,000
State Grants		6,814,000
Charges for Services		190,000
Fines and Forfeitures		100,000
Interest and Rents		807,200
Operating Transfer – In		3,810,000
Re-appropriation		<u>11,000,000</u>
Total	\$	<u>31,089,200</u> ; and

BE IT FURTHER RESOLVED, That the tax rate for the Capital Fund shall be one and sixty one-hundredths (1.60) mills on the 2008 taxable valuation; and

BE IT FURTHER RESOLVED, In order to meet anticipated expenses, amounts from the following listed budgetary centers shall be appropriated from the Capital Fund:

Executive Administration	\$	75,000
Engineering		50,000
Drains		732,800
Fire		575,000
Library		1,250,000
Museum		421,000
Other General Government		4,133,600
Police		564,000
Parks and Recreation		6,881,500
Streets		15,285,200
Public Works		1,018,000
Operating Transfer – Out		<u>103,100</u>
 Total	 \$	 <u>31,089,200;</u> and

BE IT FURTHER RESOLVED, That the following listed revenues of the Refuse Fund are anticipated:

Taxes	\$	3,556,000
Charges for Services		2,000
Interest and Rents		95,000
Re-appropriation		<u>264,120</u>
 Total	 \$	 <u>3,917,120;</u> and

BE IT FURTHER RESOLVED, That the tax rate for the Refuse Fund shall be sixty-eight one-hundredths (.68) mills on the 2008 taxable valuation; and

BE IT FURTHER RESOLVED, That the Refuse Fund shall be appropriated \$3,917,120; and

BE IT FURTHER RESOLVED, That the General Debt Service Fund shall be appropriated \$3,187,630; and

BE IT FURTHER RESOLVED, That there shall be a tax levy of fifty one-hundredths (.50) mills on the 2008 taxable valuation for the General Debt Service Fund; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** the following budgets as shown in the 2008/09 budget document:

Major Road Fund	\$	3,310,000
Local Road Fund	\$	1,781,420
Community Development Block Grant Fund	\$	258,960
Troy Community Fair Fund	\$	182,610
Budget Stabilization Fund	\$	40,000
2000 MTF Debt Fund	\$	239,140
Proposal A Debt Fund	\$	891,330

Proposal B Debt Fund	\$ 1,464,830
Proposal C Debt Fund	\$ 764,020
Special Assessment Fund	\$ 2,063,000
Water Supply System	\$ 15,372,790
Sanitary Sewer Fund	\$ 11,703,350
Aquatic Center Fund	\$ 633,510
Sylvan Glen Golf Course Fund	\$ 1,142,850
Sanctuary Lake Golf Course Fund	\$ 1,981,210
Building Operations	\$ 1,804,720
Information Technology Fund	\$ 1,936,170
Fleet Maintenance Fund	\$ 4,780,680
Workers' Compensation Fund	\$ 330,000
Compensated Absences Fund	\$ 4,854,000
Unemployment Insurance Fund	\$ 150,000; and

BE IT FINALLY RESOLVED, That City Management **WILL UTILIZE** the "Budgeting for Outcomes (BFO)" method when developing the 2009/10 budget.

Proposed Amendment to the Resolution for the "Adoption of the 2008/09 Annual Budget"

Resolution

Moved by Broomfield

Seconded by Eisenbacher

RESOLVED, That Troy City Council hereby **AMENDS** the resolution for the "Adoption of the 2008/09 Annual Budget" by **INSERTING** the following **AFTER** the first WHEREAS:

WHEREAS, The City of Troy is currently in the process of adopting the 2008/09 Annual Budget;

WHEREAS, The City of Troy has seen a record number of home foreclosures as a result of an overall downturn of the nation's economy, as well as housing values dropping putting a strain on our residents;

WHEREAS, While the City of Troy continues to see some growth and new businesses despite the economy, residents are still feeling the heavy burden of reduction in incomes, fuel increases, and a sense of overall uncertainties in difficult times;

WHEREAS, Elected officials have a fiduciary responsibility to prioritize the funding of programs in order of how they can best serve the community in critical areas, while still maintaining our AAA bond rating;

WHEREAS, Currently the City of Troy enjoys a number of amenities including, but not limited to, a state of the art 127,000 square foot Community Center, the 11,000 square foot Troy Family Aquatic Center, Sanctuary Lake and Sylvan Glen Golf Courses, the Troy Museum and Historic Village, as well as 860 acres of parklands;

WHEREAS, Money has been budgeted in the 2008/09 Budget to maintain these amenities so that residents may continue to enjoy living, working and playing in the City of Troy; and

WHEREAS, Funding that has been proposed in the 2008/09 Budget for the City of Troy for new Capital Projects puts undue strain on the Cities resources;

*NOW, THEREFORE BE IT RESOLVED, That the following funding for Capital Projects be **REDUCED** from the 2008/09 proposed Budget for the City of Troy:*

<i>Trail System Reserve</i>	<i>\$750,000</i>
<i>Civic Center</i>	<i>\$200,000</i>
<i>New Park Development</i>	<i>\$900,000</i>

and;

BE IT FURTHER RESOLVED, That while the residents and businesses of Troy enjoy living and working in one of the safest cities in Michigan, as well as enjoy quality public services, reports of wage cuts and job losses are abundant in our community; and

BE IT FURTHER RESOLVED, That while it is a difficult decision to look at cutting earnings for employees at any time, the status quo that we often get accustomed to during good times does not apply during the lean times, and everybody must understand what efforts and sacrifices must be made;

THEREFORE BE IT RESOLVED, That adjustments be made for Classified and Exempt Employees of the City of Troy to reflect a 1% Merit increase in wages and benefits where applicable, instead of the proposed 2.5%; and

BE IT FURTHER RESOLVED, That this amendment to the Adoption of the 2008/09 Annual Budget will reduce the overall budget expenditure by approximately \$2.075 million dollars.

Vote on Amendment #1 to the Amendment Resolution for the “Adoption of the 2008/09 Annual Budget”

Resolution #2008-05-158
 Moved by Eisenbacher
 Seconded by Fleming

RESOLVED, That Troy City Council hereby **AMENDS** the Amendment to the resolution for the “Adoption of the 2008/09 Annual Budget” by **INSERTING** the following in the first RESOLVED:

<i>Transit Center Proposal</i>	<i>\$500,000</i>
--------------------------------	------------------

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

MOTION CARRIED**Vote on Amendment #2 to the Amendment Resolution for the "Adoption of the 2008/09 Annual Budget"**

Resolution #2008-05-159
Moved by Beltramini
Seconded by Broomfield

RESOLVED, That Troy City Council hereby **AMENDS** the Amendment to the resolution for the "Adoption of the 2008/09 Annual Budget" by **STRIKING** the fourth RESOLVED as follows in its entirety:

THEREFORE BE IT RESOLVED, That adjustments be made for Classified and Exempt Employees of the City of Troy to reflect a 1% Merit increase in wages and benefits where applicable, instead of the proposed 2.5%; and

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

MOTION FAILED**Vote on Amendment #3 to the Amendment Resolution for the "Adoption of the 2008/09 Annual Budget"**

Resolution #2008-05-160
Moved by Howrylak
Seconded by Eisenbacher

RESOLVED, That Troy City Council hereby **AMENDS** the Amendment to the resolution for the "Adoption of the 2008/09 Annual Budget" by **INSERTING** the following after the fourth RESOLVED:

BE IT FURTHER RESOLVED, That Troy City Council hereby REDUCES City Council's Operations Account by \$7,500.

Yes: All-7
No: None

MOTION CARRIED**Vote on Amendment #4 to the Amendment Resolution for the "Adoption of the 2008/09 Annual Budget"**

Resolution #2008-05-161
Moved by Howrylak
Seconded by Eisenbacher

RESOLVED, That Troy City Council hereby **AMENDS** the Amendment to the resolution for the "Adoption of the 2008/09 Annual Budget" by **INSERTING** the following in the first RESOLVED:

Municipal Grounds: Peace Garden \$6,000

Yes: All-7
No: None

MOTION CARRIED

Vote on the Amendment to the Resolution for the "Adoption of the 2008/09 Annual Budget" as Amended

Resolution #2008-05-162
Moved by Broomfield
Seconded by Eisenbacher

RESOLVED, That Troy City Council hereby **AMENDS** the resolution for the "Adoption of the 2008/09 Annual Budget" by **INSERTING** the following **AFTER** the first WHEREAS:

WHEREAS, The City of Troy is currently in the process of adopting the 2008/09 Annual Budget;

WHEREAS, The City of Troy has seen a record number of home foreclosures as a result of an overall downturn of the nation's economy, as well as housing values dropping putting a strain on our residents;

WHEREAS, While the City of Troy continues to see some growth and new businesses despite the economy;, residents are still feeling the heavy burden of reduction in incomes, fuel increases, and a sense of overall uncertainties in difficult times;

WHEREAS, Elected officials have a fiduciary responsibility to prioritize the funding of programs in order of how they can best serve the community in critical areas, while still maintaining our AAA bond rating;

WHEREAS, Currently the City of Troy enjoys a number of amenities including, but not limited to, a state of the art 127,000 square foot Community Center, the 11,000 square foot Troy Family Aquatic Center, Sanctuary Lake and Sylvan Glen Golf Courses, the Troy Museum and Historic Village, as well as 860 acres of parklands;

WHEREAS, Money has been budgeted in the 2008/09 Budget to maintain these amenities so that residents may continue to enjoy living, working and playing in the City of Troy; and

WHEREAS, Funding that has been proposed in the 2008/09 Budget for the City of Troy for new Capital Projects puts undue strain on the Cities resources;

THEREFORE BE IT RESOLVED, That the following funding for Capital Projects be REDUCED from the 2008/09 proposed Budget for the City of Troy:

Trail System Reserve	\$750,000
Civic Center	\$200,000
New Park Development	\$900,000
Transit Center Proposal	\$500,000
Municipal Grounds: Peace Garden	\$ 6,000

and;

BE IT FURTHER RESOLVED, That while the residents and businesses of Troy enjoy living and working in one of the safest cities in Michigan, as well as enjoy quality public services, reports of wage cuts and job losses are abundant in our community; and

BE IT FURTHER RESOLVED, That while it is a difficult decision to look at cutting earnings for employees at any time, the status quo that we often get accustomed to during good times does not apply during the lean times, and everybody must understand what efforts and sacrifices must be made;

BE IT FURTHER RESOLVED, That adjustments be made for Classified and Exempt Employees of the City of Troy to reflect a 1% Merit increase in wages and benefits where applicable, instead of the proposed 2.5%; and

BE IT FURTHER RESOLVED, That Troy City Council hereby REDUCES City Council's Operations Account by \$7,500.

BE IT FURTHER RESOLVED, That this amendment to the Adoption of the 2008/09 Annual Budget will reduce the overall budget expenditure by approximately \$2.075 million dollars.

Yes: Fleming, Howrylak, Broomfield, Eisenbacher

No: Kerwin, Schilling, Beltramini

MOTION CARRIED

The meeting **RECESSED** at 9:15 PM.

The meeting **RECONVENED** at 9:26 PM.

Vote on Amendment #5 to the Amendment Resolution for the "Adoption of the 2008/09 Annual Budget"

Resolution #2008-05-163

Moved by Broomfield

Seconded by Howrylak

RESOLVED, That Troy City Council hereby **AMENDS** the Amendment to the resolution for the "Adoption of the 2008/09 Annual Budget" by **STRIKING** "\$2.075 million" and **INSERTING** "\$2,561,500" in the fifth RESOLVED.

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

MOTION CARRIED

Vote on the Amendment to the Resolution for the "Adoption of the 2008/09 Annual Budget" as Amended

Resolution #2008-05-164
Moved by Broomfield
Seconded by Eisenbacher

RESOLVED, That Troy City Council hereby **AMENDS** the resolution for the "Adoption of the 2008/09 Annual Budget" by **INSERTING** the following **AFTER** the first WHEREAS:

WHEREAS, The City of Troy is currently in the process of adopting the 2008/09 Annual Budget;

WHEREAS, The City of Troy has seen a record number of home foreclosures as a result of an overall downturn of the nation's economy, as well as housing values dropping putting a strain on our residents;

WHEREAS, While the City of Troy continues to see some growth and new businesses despite the economy, residents are still feeling the heavy burden of reduction in incomes, fuel increases, and a sense of overall uncertainties in difficult times;

WHEREAS, Elected officials have a fiduciary responsibility to prioritize the funding of programs in order of how they can best serve the community in critical areas, while still maintaining our AAA bond rating;

WHEREAS, Currently the City of Troy enjoys a number of amenities including, but not limited to, a state of the art 127,000 square foot Community Center, the 11,000 square foot Troy Family Aquatic Center, Sanctuary Lake and Sylvan Glen Golf Courses, the Troy Museum and Historic Village, as well as 860 acres of parklands;

WHEREAS, Money has been budgeted in the 2008/09 Budget to maintain these amenities so that residents may continue to enjoy living, working and playing in the City of Troy; and

WHEREAS, Funding that has been proposed in the 2008/09 Budget for the City of Troy for new Capital Projects puts undue strain on the Cities resources;

NOW, THEREFORE BE IT RESOLVED, That the following funding for Capital Projects be REDUCED from the 2008/09 proposed Budget for the City of Troy:

<i>Trail System Reserve</i>	<i>\$750,000</i>
<i>Civic Center</i>	<i>\$200,000</i>
<i>New Park Development</i>	<i>\$900,000</i>
<i>Transit Center Proposal</i>	<i>\$500,000</i>
<i>Municipal Grounds: Peace Garden</i>	<i>\$ 6,000</i>

and;

BE IT FURTHER RESOLVED, That while the residents and businesses of Troy enjoy living and working in one of the safest cities in Michigan, as well as enjoy quality public services, reports of wage cuts and job losses are abundant in our community; and

BE IT FURTHER RESOLVED, That while it is a difficult decision to look at cutting earnings for employees at any time, the status quo that we often get accustomed to during good times does not apply during the lean times, and everybody must understand what efforts and sacrifices must be made;

THEREFORE BE IT RESOLVED, That adjustments be made for Classified and Exempt Employees of the City of Troy to reflect a 1% Merit increase in wages and benefits where applicable, instead of the proposed 2.5%; and

BE IT FURTHER RESOLVED, That this amendment to the Adoption of the 2008/09 Annual Budget will reduce the overall budget expenditure by approximately \$2,561,500 million dollars.

Yes: Broomfield, Eisenbacher, Fleming, Howrylak

No: Kerwin, Schilling, Beltramini

MOTION CARRIED

Vote on the Final Resolution for the Adoption of the 2008/09 Annual Budget as Amended

Resolution #2008-05-165

Moved by Kerwin

Seconded by Beltramini

WHEREAS, Section 8.3 of the City Charter directs the City Council to adopt a budget for the ensuing year, beginning July 1, 2008;

WHEREAS, The City of Troy is currently in the process of adopting the 2008/09 Annual Budget;

WHEREAS, The City of Troy has seen a record number of home foreclosures as a result of an overall downturn of the nation's economy, as well as housing values dropping putting a strain on our residents;

WHEREAS, While the City of Troy continues to see some growth and new businesses despite the economy;, residents are still feeling the heavy burden of reduction in incomes, fuel increases, and a sense of overall uncertainties in difficult times;

WHEREAS, Elected officials have a fiduciary responsibility to prioritize the funding of programs in order of how they can best serve the community in critical areas, while still maintaining our AAA bond rating;

WHEREAS, Currently the City of Troy enjoys a number of amenities including, but not limited to, a state of the art 127,000 square foot Community Center, the 11,000 square foot Troy Family Aquatic Center, Sanctuary Lake and Sylvan Glen Golf Courses, the Troy Museum and Historic Village, as well as 860 acres of parklands;

WHEREAS, Money has been budgeted in the 2008/09 Budget to maintain these amenities so that residents may continue to enjoy living, working and playing in the City of Troy; and

WHEREAS, Funding that has been proposed in the 2008/09 Budget for the City of Troy for new Capital Projects puts undue strain on the Cities resources;

NOW, THEREFORE BE IT RESOLVED, That the following funding for Capital Projects be REDUCED from the 2008/09 proposed Budget for the City of Troy:

Trail System Reserve	\$750,000
Civic Center	\$200,000
New Park Development	\$900,000
Transit Center Proposal	\$500,000
Municipal Grounds: Peace Garden	\$ 6,000

and;

BE IT FURTHER RESOLVED, That while the residents and businesses of Troy enjoy living and working in one of the safest cities in Michigan, as well as enjoy quality public services, reports of wage cuts and job losses are abundant in our community; and

BE IT FURTHER RESOLVED, That while it is a difficult decision to look at cutting earnings for employees at any time, the status quo that we often get accustomed to during good times does not apply during the lean times, and everybody must understand what efforts and sacrifices must be made;

THEREFORE BE IT RESOLVED, That adjustments be made for Classified and Exempt Employees of the City of Troy to reflect a 1% Merit increase in wages and benefits where applicable, instead of the proposed 2.5%; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **REDUCES** City Council's Operations Account by \$7,500.

BE IT FURTHER RESOLVED, That this amendment to the Adoption of the 2008/09 Annual Budget will reduce the overall budget expenditure by approximately \$2,561,500 million dollars.

NOW, THEREFORE, BE IT RESOLVED, That the following listed re-appropriations, operating transfers-in, and operating revenues of the General Operating Fund are anticipated:

Taxes	\$	36,333,690
Licenses and Permits		1,834,500
Federal Grants		12,100
State Grants		6,760,500
Contributions – Local		180,000
Charges for Services		6,994,650
Fines and Forfeits		996,000
Interest and Rents		1,467,800
Other Revenue		486,070
Operating Transfers – In		5,235,710
Re-appropriation		<u>4,136,980</u>
Total	\$	<u>64,438,000</u> ; and

BE IT FURTHER RESOLVED, That the tax rate for the General Operating Fund shall be six and fifty one-hundredths (6.50) mills on the 2008 taxable valuation; and

BE IT FURTHER RESOLVED, In order to meet anticipated expenses, amounts from the following listed budgetary centers shall be appropriated from the General Operating Fund:

Building Inspection	\$	2,322,790
Council/Executive Administration		4,031,940
Engineering		2,955,450
Finance		3,146,810
Fire		4,333,920
Library /Museum		4,317,190
Other General Government		2,520,740
Police		25,020,110
Parks and Recreation		10,023,370
Streets		<u>5,765,680</u>
Total	\$	<u>64,438,000</u> ; and

BE IT FURTHER RESOLVED, That the following listed re-appropriations and revenues of the Capital Fund are anticipated:

Taxes	\$	8,368,000
State Grants		6,814,000
Charges for Services		190,000
Fines and Forfeitures		100,000
Interest and Rents		807,200
Operating Transfer – In		3,810,000
Re-appropriation		<u>8,644,000</u>
Total	\$	<u>28,733,200</u> ; and

BE IT FURTHER RESOLVED, That the tax rate for the Capital Fund shall be one and sixty one-hundredths (1.60) mills on the 2008 taxable valuation; and

BE IT FURTHER RESOLVED, In order to meet anticipated expenses, amounts from the following listed budgetary centers shall be appropriated from the Capital Fund:

Executive Administration	\$	75,000
Engineering		50,000
Drains		732,800
Fire		575,000
Library		1,250,000
Museum		421,000
Other General Government		3,633,600
Police		564,000
Parks and Recreation		5,025,500
Streets		15,285,200
Public Works		1,018,000
Operating Transfer – Out		<u>103,100</u>
Total	\$	<u>28,733,200</u> ; and

BE IT FURTHER RESOLVED, That the following listed revenues of the Refuse Fund are anticipated:

Taxes	\$	3,556,000
Charges for Services		2,000
Interest and Rents		95,000
Re-appropriation		<u>264,120</u>
Total	\$	<u>3,917,120</u> ; and

BE IT FURTHER RESOLVED, That the tax rate for the Refuse Fund shall be sixty-eight one-hundredths (.68) mills on the 2008 taxable valuation; and

BE IT FURTHER RESOLVED, That the Refuse Fund shall be appropriated \$3,917,120; and

BE IT FURTHER RESOLVED, That the General Debt Service Fund shall be appropriated \$3,187,630; and

BE IT FURTHER RESOLVED, That there shall be a tax levy of fifty one-hundredths (.50) mills on the 2008 taxable valuation for the General Debt Service Fund; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** the following budgets as shown in the 2008/09 budget document:

Major Road Fund	\$	3,310,000
Local Road Fund	\$	1,781,420
Community Development Block Grant Fund	\$	258,960
Troy Community Fair Fund	\$	182,610

Budget Stabilization Fund	\$ 40,000
2000 MTF Debt Fund	\$ 239,140
Proposal A Debt Fund	\$ 891,330
Proposal B Debt Fund	\$ 1,464,830
Proposal C Debt Fund	\$ 764,020
Special Assessment Fund	\$ 2,063,000
Water Supply System	\$ 15,366,040
Sanitary Sewer Fund	\$ 11,703,350
Aquatic Center Fund	\$ 633,510
Sylvan Glen Golf Course Fund	\$ 1,140,470
Sanctuary Lake Golf Course Fund	\$ 1,981,210
Building Operations	\$ 1,792,950
Information Technology Fund	\$ 1,926,210
Fleet Maintenance Fund	\$ 4,776,120
Workers' Compensation Fund	\$ 330,000
Compensated Absences Fund	\$ 4,854,000
Unemployment Insurance Fund	\$ 150,000; and

BE IT FINALLY RESOLVED, That City Management **WILL UTILIZE** the "Budgeting for Outcomes (BFO)" method when developing the 2009/10 budget.

Yes: Broomfield, Eisenbacher, Fleming, Howrylak

No: Schilling, Beltramini, Kerwin

MOTION CARRIED

POSTPONED ITEMS:

D-1 Amendment to Chapter 18 and Proposed Contract with Detroit Water and Sewerage Department

(a) Pending Resolution Amending Chapter 18 of City Ordinance

Pending Resolution

Moved by Kerwin

Seconded by Schilling

WHEREAS, In 1961 the City of Troy and the Detroit Water and Sewerage Department (DWSD) entered into a 35 year contract to provide wholesale water;

WHEREAS, In 2004 the DWSD and 126 municipal customers, through the Technical Advisory Committee (TAC), developed a new model water contract to minimize price volatility and create equity among wholesale water customers;

WHEREAS, The new model contract will be the mechanism to set wholesale water rates for the next 30 years and subject each customer to the same contract terms, with the exception that some communities will qualify for reduced fees based on limitations to peak water usage;

WHEREAS, To gain the greatest opportunity for reduced future water rates, and in addition to community education, capital improvement programs and restrictions to City operated irrigation systems, the only remaining piece is implementation of the ordinance amendment limiting automatic sprinkling during peak hours; and

WHEREAS, If Council decides not to amend Chapter 18, then City Administration will need to negotiate new terms with DWSD;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **ADOPTS** the Ordinance to Amend Chapter 18 of the City Code, City Water Utility, as recommended by the City Administration, a copy of which shall be **ATTACHED** to the original minutes of this meeting.

Vote on Resolution to Amend Resolution Amending Chapter 18-City Water Utility

Resolution #2008-05-166

Moved by Beltramini

Seconded by Eisenbacher

RESOLVED, That Troy City Council hereby **AMENDS** the resolution to “Amend Chapter 18-City Water Utility” by **INSERTING**:

“SUBJECT to REVISING Section 12.01 by INSERTING ‘at any time’ AFTER ‘landscaping’ in B. AFTER ‘Administration’ in the last RESOLVED”.

Yes: All-7

No: None

MOTION CARRIED

Vote Resolution to Amend Chapter 18-City Water Utility as Amended

Resolution #2008-05-167

Moved by Kerwin

Seconded by Schilling

WHEREAS, In 1961 the City of Troy and the Detroit Water and Sewerage Department (DWSD) entered into a 35 year contract to provide wholesale water;

WHEREAS, In 2004 the DWSD and 126 municipal customers, through the Technical Advisory Committee (TAC), developed a new model water contract to minimize price volatility and create equity among wholesale water customers;

WHEREAS, The new model contract will be the mechanism to set wholesale water rates for the next 30 years and subject each customer to the same contract terms, with the exception that some communities will qualify for reduced fees based on limitations to peak water usage;

WHEREAS, To gain the greatest opportunity for reduced future water rates, and in addition to community education, capital improvement programs and restrictions to City operated irrigation

systems, the only remaining piece is implementation of the ordinance amendment limiting automatic sprinkling during peak hours; and

WHEREAS, If Council decides not to amend Chapter 18, then City Administration will need to negotiate new terms with DWSD;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **ADOPTS** the Ordinance to Amend Chapter 18 of the City Code, City Water Utility, as recommended by the City Administration, **SUBJECT** to **REVISING** Section 12.01 by **INSERTING** 'at any time' **AFTER** 'landscaping' in B, a copy of which shall be **ATTACHED** to the original minutes of this meeting.

Yes: Eisenbacher, Fleming, Kerwin, Schilling, Beltramini

No: Broomfield, Howrylak

MOTION CARRIED

(b) Resolution Approving Contract with Detroit Water and Sewerage Department

Resolution #2008-05-168

Moved by Beltramini

Seconded by Fleming

WHEREAS, In 1961 the City of Troy and the Detroit Water and Sewerage Department (DWSD) entered into a 35 year contract to provide wholesale water;

WHEREAS, In 2004 the DWSD and 126 municipal customers, through the Technical Advisory Committee (TAC), developed a new model water contract to minimize price volatility and create equity among wholesale water customers; and

WHEREAS, The new model contract will be the mechanism to set wholesale water rates for the next 30 years and subject each customer to the same contract terms, with the exception that some communities will qualify for reduced fees based on limitations to peak water usage;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the attached 30-year contract to provide wholesale water between the City of Troy and the Detroit Water and Sewerage Department, as recommended by City Administration, and **AUTHORIZES** the Mayor and City Clerk to execute the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: Eisenbacher, Fleming, Kerwin, Schilling, Beltramini, Broomfield

No: Howrylak

MOTION CARRIED

PUBLIC COMMENT: Limited to Items Not on the Agenda

REGULAR BUSINESS:**E-1 Appointments to Boards and Committees: a) Mayoral Appointments: Brownfield Redevelopment Authority and Economic Development Corporation b) City Council Appointments: Cable Advisory Committee and Youth Council****(a) Mayoral Appointments**

Resolution #2008-05-169
 Moved by Schilling
 Seconded by Kerwin

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

Brownfield Redevelopment Authority

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

Donald F. Schenk

Unexpired Term 04/30/11

Joseph J. Vassallo

Unexpired Term 04/30/09

Economic Development Corporation

Appointed by Mayor (9-Regular) – 6-Year Terms

Donald L. Edmunds

Unexpired Term 04/30/14

Yes: All-7
 No: None

MOTION CARRIED**(b) City Council Appointments**

Resolution #2008-05-170
 Moved by Howrylak
 Seconded by Kerwin

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

Cable Advisory Committee

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

Padma Kuppa

Unexpired Term 09/30/09

Youth CouncilAppointed by Council (13-Regular) – 1-Year Term¹

<u>Disha Bora</u>	Term Expires 06/01/09
<u>Geon Woo Kim</u>	Term Expires 06/01/09
<u>Joseph Niemiec</u>	Term Expires 06/01/09
<u>Shaina Sekhri</u>	Term Expires 06/01/09
<u>Neil Shaw</u>	Term Expires 06/01/09
<u>David Wylie</u>	Term Expires 06/01/09
<u>Willa Adamo</u>	Term Expires 06/01/09
<u>Jason Lee</u>	Term Expires 06/01/09
<u>Vikram Prasad</u>	Term Expires 06/01/09
<u>Sevita Rama</u>	Term Expires 06/01/09
<u>Rachita Singh</u>	Term Expires 06/01/09
<u>Emily Wang</u>	Term Expires 06/01/09

Yes: All-7

No: None

MOTION CARRIED

E-2 Nominations for Appointments to Boards and Committees: (a) Mayoral Nominations: None (b) City Council Nominations: None

(a) Mayoral Nominations - None**(b) City Council Nominations - None**

E-3 Approval of the Troy Downtown Development Authority's Proposed Fiscal Year 2008/09 Budget

Resolution #2008-05-171

Moved by Beltramini

Seconded by Fleming

WHEREAS, The Troy Downtown Development Authority has adopted and recommends that City Council approve its proposed fiscal year 2008/09 budget; and

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the Troy Downtown Development Authority’s annual budget for fiscal year July 1, 2008 through June 30, 2009.

Yes: Kerwin, Schilling, Beltramini, Broomfield, Fleming

No: Eisenbacher, Howrylak

MOTION CARRIED

E-4 Water Connection Fees

Resolution #2008-05-172

Moved by Eisenbacher

Seconded by Beltramini

RESOLVED, That Troy City Council hereby **APPROVES** the following revisions to the Water Connection Fees as recommended by City Management, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, and said fee revision shall be effective July 1, 2008:

SERVICES:

Item	Current Fee	Proposed Fee	Increase
Meter Installation	\$35.00	\$50.00	\$15.00
Service Charge	\$35.00	\$50.00	\$15.00
Construction Water	\$15.04	\$35.00	\$19.96
Inspection Fee	\$25.00	\$35.00	\$10.00
Water Connection Fees			
3/4" service	\$150.29	\$278.21	\$127.92
1" service	\$1,198.24	\$1,605.00	\$406.76
1 ½" service	\$1,337.05	\$2,021.14	\$684.09
2" service	\$1,600.00	\$2,528.78	\$928.78
2" Lawn Sprinkler	\$1,623.32	\$2,552.92	\$929.60
3" service	\$1,071.64	\$1,139.04	\$67.40
4" service	\$1,322.99	\$1,395.46	\$72.47
6" service	\$1,939.54	\$2,026.46	\$86.92
8" service	\$3,043.94	\$240.00 plus current market price for 6" meter	

Yes: All-7

No: None

MOTION CARRIED

E-5 Amendment to Chapter 20 of the Troy City Code (Water and Sewer Rates)

Resolution #2008-05-173

Moved by Eisenbacher

Seconded by Beltramini

RESOLVED, That Troy City Council hereby **APPROVES** an amendment to Chapter 20 of the Troy City Code (Water and Sewer Rates), a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7

No: None

MOTION CARRIED**CONSENT AGENDA:**

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

Resolution #2008-05-174

Moved by Kerwin

Seconded by Beltramini

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Item F-2, which **SHALL BE CONSIDERED** after Consent Agenda (F) items, as printed.

Yes: All-7

No: None

MOTION CARRIED

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

F-4 Standard Purchasing Resolutions**a) Standard Purchasing Resolution 1: Award to Low Bidder – Contract 08-1 – Eckford S.A.D. Paving and Storm Sewer Project No. 06.202.01**

Resolution #2008-05-174-F-4a

RESOLVED, That Troy City Council hereby **AWARDS** Contract No. 08-1, Eckford S.A.D. Paving and Storm Sewer to Commerce Construction & Landscaping, Inc., P.O. Box 930098, Wixom, MI 48393-0098 at an estimated total cost of \$149,851.77; 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, Troy City Council hereby **AUTHORIZES** such additional work in an amount not to exceed 10% of the total project cost.

b) Standard Purchasing Resolution 3: Exercise Renewal Option – Pump Maintenance, Repair, and Replacement – City Pools

Resolution #2008-05-174-F-4b

WHEREAS, On March 27, 2006, two-year contracts for pump maintenance, repair and replacement on City pools (outdoor and indoor) with two one-year options to renew was awarded to the low bidders, Kerr Pump & Supply for Aurora pumps, Kennedy Industries for repair and maintenance of Floway pumps and Evergreen Water Controls for replacement of Floway pumps (Res #2006-03-153-E4b);

WHEREAS, Kerr Pump & Supply and Kennedy Industries have agreed to exercise the first of two one-year options to renew under the same terms and conditions as the original contract; and

WHEREAS, Since Evergreen Water Controls has closed their pump division, informal quotes were taken for the replacement of Floway pumps, with Kennedy Industries providing the lowest overall replacement cost;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **EXERCISES** the one-year contract renewal options with Kerr Pump & Supply and Kennedy Industries to provide pump maintenance, repair and replacement under the same prices, terms, and conditions as the original contract expiring March 27, 2009, with proposed rate increases approved for Kennedy Industries as detailed on Appendix I and replacement costs as per quote #4293, copies of which shall be **ATTACHED** to the original Minutes of this meeting.

F-5 Oakland County's Urban County Community Development Block Grant Cooperation Agreement for Program Years 2009-2011

Resolution #2008-05-174-F-5

WHEREAS, The City of Troy has been participating in Oakland County's Urban County Community Development Block Grant Program since 1982;

WHEREAS, Since 2005, participation in Oakland County's Urban County Community Development block Grant Program has afforded Troy homeowners the opportunity to receive \$489,778.00 in Oakland County Home Improvement Program funds; and

WHEREAS, Currently, Oakland County handles the majority of the federal paperwork involved in administering the Community Development Block Grant Program, helping to maximize the benefit of each dollar received at the local level;

THEREFORE, BE IT RESOLVED, That the City of Troy **CONTINUE** its participation in Oakland County's Urban County Community Development Block Grant Program for program years 2009, 2010 and 2011, which shall be automatically renewed in successive three-year

qualification periods of time, or until such time that it is in the best interest of the City of Troy to terminate the Cooperative Agreement.

F-6 Behr America, Inc. v. Damman L.C. and City of Troy, et. al.

Resolution #2008-05-174-F-6

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 *Behr America, Inc. v. City of Troy, et. al.*, (Oakland County Circuit Court Case No. 08-091138-CH) and to retain any necessary expert witnesses to adequately represent the City.

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

F-2 Approval of City Council Minutes

Resolution #2008-05-175

Moved by Beltramini

Seconded by Kerwin

RESOLVED, That Troy City Council hereby **POSTPONES** approval of the Minutes of the 7:30 PM Regular City Council Meeting of May 12, 2008 until the next Regular City Council meeting scheduled for Monday, June 2, 2008 to insert wording indicating that discussion took place in regard to agenda item *J-10 Communication from Purchasing Director Susan Leirstein Regarding Local Preference Issue*.

Yes: All-7

No: None

MOTION CARRIED

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings: None Submitted

G-2 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:

I-1 Council Comments Discussed

Mayor Pro Tem Howrylak requested City Administration to provide a report in regard to the possibility of developing an ordinance provision that provides staff with the authority under the administrative review process to waive late fees for property taxes for individual hardship cases.

Council Member Eisenbacher supported Mayor Pro Tem Howrylak's request.

Assistant City Attorney, Susan Lancaster indicated that the City Attorney's office would determine whether or not there are any City Charter implications or any State Tax Law violations, and will provide a report to City Council of their findings.

Council Member Kerwin complimented the City Police and Fire Departments efforts in making Troy a safe place to live.

Council Member Beltramini expressed concern in regard to the personal information of residents appearing on the listing of unpaid water accounts requested by City Council. Although she understands that this information is obtainable under the Freedom of Information Act (FOIA), Council Member Beltramini would prefer that a report of this type be submitted in a summary format or that the personal information be redacted from the report if feasible.

John Lamerato, Assistant City Manager/Finance & Administration indicated that the information requested from City Council was difficult to assemble and required staff to access three different data bases. He continued by stating that the information was gathered quickly and believes that it may have been possible to delete the parcel numbers under other circumstances.

Council Member Eisenbacher shared Council Member Beltramini's concerns and added that Council only needs to know the scope of a problem and not individual names. He noted that the GIS map provided by City Management tonight in response to a request made by a council member is exactly the kind of report they are looking for when asking for information.

Phil Nelson, City Manager stated that because of the complexity of the various data bases staff uses to retrieve information, he is uncertain whether or not certain information can be redacted. However, he continued by stating that City Staff will look closely into this issue.

REPORTS:

J-1 Minutes – Boards and Committees:

- a) Library Advisory Board/Final – March 13, 2008
- b) Ethnic Issues Advisory Board/Draft – April 1, 2008
- c) Ethnic Issues Advisory Board/Final – April 1, 2008
- d) Advisory Committee for Senior Citizens/Final – April 3, 2008
- e) Planning Commission Special/Study/Draft – April 22, 2008
- f) Troy Daze Festival Advisory Committee/Draft – April 22, 2008
- g) Advisory Committee for Senior Citizens/Draft – May 1, 2008

Noted and Filed

J-2 Department Reports:

- a) Council Member Kerwin's Travel Expense Report – Brownfields 2008 Conference at Cobo Hall on May 6, 2008
- b) Customer Solutions Monthly Report – April, 2008
- c) Council Member Beltramini's Travel Expense Report – NLC FAIR Steering Committee Meeting on May 8-11, 2008
- d) City of Troy Monthly Financial Report – April 30, 2008
Noted and Filed

J-3 Letters of Appreciation: None Submitted

J-4 Proposed Proclamations/Resolutions from Other Organizations:

- a) Resolution Adopted by the Royal Oak City Commission Requesting that the Legislature and Governor Approve SB 550 and 551 and other Bills Amending the Urban Cooperation Act
Noted and Filed

STUDY ITEMS:

K-1 No Study Items Submitted

PUBLIC COMMENT: Address of "K" Items

CLOSED SESSION:

L-1 No Closed Session Requested

ADJOURNMENT

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

Louise E. Schilling, Mayor

Barbara A. Pallotta, CMC
Deputy City Clerk

**PROCLAMATION TO HONOR
RAYMOND PIPER
2007 POLICE OFFICER OF THE YEAR**

WHEREAS, Officer Raymond Piper has been a member of the Troy Police Department since 1991 after completing several years of service with the Detroit Police Department; and

WHEREAS, His selection was based on his commitment to both the department and the community, as well as his superior performance, hard work and dedication to duty; and

WHEREAS, Officer Piper has continuously shown his bravery in the face of danger. One such example was his performance in response to an active shooter reported on April 9, 2007. As the first officer to respond to the scene on West Long Lake, **Officer Piper**, along with other arriving officers, entered the office building and quickly secured the scene so that medical personnel could safely enter and treat wounded victims; and

WHEREAS, On May 28, 2007, **Officer Piper** coordinated the capture of five individuals suspected in the armed robbery of a Troy car wash. After notification by radio, Officer Piper spotted the vehicle believed to be involved with the incident. From Troy to Detroit, Piper followed the vehicle and worked with Warren and Hazel Park Police Departments and the Michigan State Police to safely stop the vehicle and retrieve the stolen money and various handguns used in the robbery; and

WHEREAS, Officer Piper additionally serves his fellow man through a range of services that only a man worthy of honoring would take part in. Such services include providing his time and talents to assist students in a local radio-controlled aircraft club that meets once a week at Boulan Park Middle School. **Officer Piper** also provided friendship, encouragement, time and transportation to a fellow officer that was diagnosed with cancer; and

WHEREAS, Officer Piper goes above and beyond the call of duty and is a tremendous asset to the Troy Police Department.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Troy, does hereby join with the citizens of Troy, to express sincere congratulations to **Officer Raymond Piper** on the occasion of being chosen **2007 Police Officer of the Year** by the Troy Police Department.

BE IT FURTHER RESOLVED that the City Council commends **Ray** for his leadership, dedication and commitment to providing the best possible service to the citizens of Troy and his fellow employees.

Presented this 2nd day of June 2008.

**PROCLAMATION TO HONOR
JASON STRASZ
2007 NON-SWORN POLICE DEPARTMENT
EMPLOYEE OF THE YEAR**

WHEREAS, Jason Strasz has served the Troy Police Department since 2003 when he was hired as a Police Service Aide; and

WHEREAS, Jason is being honored as the **2007 Non-Sworn Police Department Employee of the Year** for his outstanding performance, dedication to his position, professionalism, and commitment to providing the best service to the residents of Troy; and

WHEREAS, Jason plays a key role in developing the relationship between the Troy Police Department and citizens of Troy by providing professional and helpful first contact through the Communications Section; and

WHEREAS, Despite the demands that come with the position and the technological abilities required, **Jason** has continuously risen to each occasion providing assurance to citizens, thoroughly assessing each situation, and utilizing his skills to perform a service that is vital to the quality of life for our community; and

WHEREAS, Since 2003, **Jason** has served as a training and certification officer for the Department's use of the Law Enforcement Information Network (LEIN). He also goes above and beyond by volunteering his time to such noble causes like the annual Mulvihill Cup Charity Hockey Game and assisting needy families during the Christmas season; and

WHEREAS, Through **Jason's** leadership, hard work and commitment to providing quality service, the Troy Police Department has gained the respect of the community and other law enforcement agencies.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Troy, does hereby join with the citizens of Troy, to express sincere congratulations to **Jason Strasz** on the occasion of being chosen **2007 Non-Sworn Employee of the Year by the Troy Police Department.**

BE IT FURTHER RESOLVED that the City Council commends **Jason** for his leadership, dedication and commitment to providing the best possible service to the citizens of Troy and his fellow employees.

Presented this 2nd day of June 2008.

**PROCLAMATION TO HONOR
DANIEL CARCONE
2008 FIRE FIGHTER OF THE YEAR**

WHEREAS, Daniel Carcone has been a volunteer Fire Fighter since joining Troy's Fire Station 6 more than 16 years ago; and

WHEREAS, His selection as **Fire Fighter of the Year** is due to his many years of dedication to the Troy Fire Department, having served with honor and dignity in all of his roles at the station, including leadership roles; and

WHEREAS, Dan has served as a Fire Fighter, Lieutenant, and Captain of Station 6. Additionally, Fire Fighter Carcone was selected as the Station Member of the Year for Station 6 in 2002; and

WHEREAS, Dan not only serves as an evaluator for the fire academy, but is also a role model for Troy's new fire recruits and always willing to share his knowledge and experience with others. He has also been instrumental in conducting a number of live fire training sessions in acquired structures which provide invaluable experience for department personnel; and

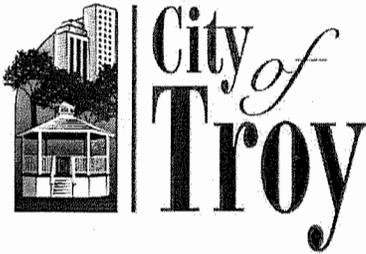
WHEREAS, In addition to his fire service, **Dan** is employed by Imperva as the Senior Security Engineer and is always willing to provide assistance above and beyond his fire department and career responsibilities by his willingness to accept special assignments that serve and benefit his community; and

WHEREAS, Through **Fire Fighter Carcone's** leadership, commitment, hard work and countless hours of service, the Troy Fire Department has become even more efficient in its delivery of quality fire protection to the community.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Troy, does hereby join with the citizens of Troy, to express sincere congratulations to **Fire Fighter Dan Carcone** on the occasion of being chosen **2008 Fire Fighter of the Year** by the Troy Fire Department.

BE IT FURTHER RESOLVED that the City Council commends **Dan** for his achievement, leadership and dedicated service to the citizens of Troy.

Presented this 2nd day of June 2008.



CITY COUNCIL ACTION REPORT

May 23, 2008

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Asst. City Manager/Economic Development Services
Steven J. Vandette, City Engineer *SV*

SUBJECT: Standard Purchasing Resolution #1: Award to Low Bidder
Contract 08-5 – Coolidge Road, Derby to Golfview Water Main Replacement
Project No. 99.502.5

Background:

- Bids were received and publicly read on May 20, 2008. The low bid of \$320,758.00 as submitted by Pamar Enterprises Inc., can be seen in the attached tabulation of bids.
- The Engineer's estimate at the time of bidding was \$427,956.00. The low bid is therefore \$107,198.00 or 33.4% below the Engineer's estimate.
- The project work will include the abandoning and replacing of the existing water main on the east side of Coolidge Road between Derby and Golfview in Section 29. This work is scheduled to start in June of 2008 and be complete by September 30, 2008.

Financial Considerations:

- Funds for this work are included in the 2007/08 Water Fund, account number 555.7972.995025. The budgeted amount includes funds for construction, inspection and contingencies.

Legal Considerations:

- Work was competitively bid and publicly opened with ten (10) bidders responding.
- Award is contingent upon submission of proper proposal and bid documents, including insurance certificates, bonds and all specified requirements.

Policy Considerations:

- Enhance the livability and safety of the community (Goal I)
- Retain and attract investment while encouraging redevelopment (Goal III)
- Maintain relevance of public infrastructure to meet changing public needs (Goal V)

Options:

- It is recommended that City Council award a contract for Coolidge Road, Derby to Golfview Water Main Replacement to Pamar Enterprises Inc., 58021 Gratiot, New Haven MI 48048, for their low total bid amount of \$320,758.00. In addition, we are requesting authorization to approve additional work, if needed, not to exceed 10% of the original project cost.

Prepared by: G. Scott Finlay, PE

BID TABULATION
 COOLIDGE WATER MAIN REPLACEMENT
 CITY OF TROY
 OAKLAND COUNTY, MICHIGAN

Bids Due: May 20, 2008
 Project # 99.502.5

Engineers Estimate

Pamar Enterprises Inc.
 58021 Gratiot
 New Haven, MI 48084

Mago Construction Co.
 1284 Parks Rd.
 Oakland, MI 48363

C & P Construction
 13249 West Starr Drive
 Shelby Twp., MI 48315

Item	Quantity		Unit Price	Total Cost						
1 Audio - Video of Construction Area	1	LSUM	\$1,000.00	\$1,000.00	\$2,000.00	\$2,000.00	\$2,860.00	\$2,860.00	\$1,500.00	\$1,500.00
2 EXPLORATORY EXCAVATION	6	EACH	\$1,500.00	\$9,000.00	\$50.00	\$300.00	\$1,650.00	\$9,900.00	\$250.00	\$1,500.00
3 REMOVE SIDEWALK	487	SYD	\$4.00	\$1,948.00	\$1.00	\$487.00	\$7.70	\$3,749.90	\$4.50	\$2,191.50
4 REMOVE PAVEMENT	910	SYD	\$8.00	\$7,280.00	\$1.00	\$910.00	\$7.70	\$7,007.00	\$8.00	\$7,280.00
5 REMOVE APPROACH	208	SYD	\$6.00	\$1,248.00	\$1.00	\$208.00	\$9.90	\$2,059.20	\$4.00	\$832.00
6 REMOVE STUMPS 8" - 18"	1	EACH	\$250.00	\$250.00	\$50.00	\$50.00	\$550.00	\$550.00	\$100.00	\$100.00
7 REMOVE GATE VALVE & WELL	8	EACH	\$750.00	\$6,000.00	\$700.00	\$5,600.00	\$638.00	\$5,104.00	\$350.00	\$2,800.00
8 REMOVE HYDRANT	5	EACH	\$500.00	\$2,500.00	\$100.00	\$500.00	\$528.00	\$2,640.00	\$250.00	\$1,250.00
9 12" D.I. WATER MAIN, 12", T.D. - G	1950	L.F.	\$80.00	\$156,000.00	\$100.00	\$195,000.00	\$72.60	\$141,570.00	\$91.00	\$177,450.00
10 8" D.I. WATER MAIN, 12", T.D. - G	144	L.F.	\$65.00	\$9,360.00	\$70.00	\$10,080.00	\$53.90	\$7,761.60	\$80.00	\$11,520.00
11 6" STD. HYDRANT	5	EACH	\$3,000.00	\$15,000.00	\$3,500.00	\$17,500.00	\$2,469.50	\$12,347.50	\$2,200.00	\$11,000.00
12 12" GATE VALVE IN WELL	3	EACH	\$3,500.00	\$10,500.00	\$3,700.00	\$11,100.00	\$2,678.50	\$8,035.50	\$2,700.00	\$8,100.00
13 8" GATE VALVE IN WELL	2	EACH	\$2,800.00	\$5,600.00	\$2,400.00	\$4,800.00	\$2,315.50	\$4,631.00	\$2,000.00	\$4,000.00
14 16"x12" TAPPING SLEEVE & VALVE IN WELL	2	EACH	\$7,500.00	\$15,000.00	\$6,600.00	\$13,200.00	\$5,869.60	\$11,739.20	\$11,000.00	\$22,000.00
15 16"x8" TAPPING SLEEVE & VALVE IN WELL	1	EACH	\$6,000.00	\$6,000.00	\$5,800.00	\$5,800.00	\$4,537.50	\$4,537.50	\$10,000.00	\$10,000.00
16 8" CONNECTION	5	EACH	\$2,500.00	\$12,500.00	\$500.00	\$2,500.00	\$1,864.50	\$9,322.50	\$1,500.00	\$7,500.00
17 2" BLOW OFF	10	EACH	\$250.00	\$2,500.00	\$50.00	\$500.00	\$440.00	\$4,400.00	\$200.00	\$2,000.00
18 CUT & CAP	8	EACH	\$1,000.00	\$8,000.00	\$50.00	\$400.00	\$1,028.50	\$8,228.00	\$250.00	\$2,000.00
19 ABANDON/REMOVE WATER MAIN	1	LSUM	\$10,000.00	\$10,000.00	\$1,500.00	\$1,500.00	\$1,551.00	\$1,551.00	\$5,000.00	\$5,000.00
20 4" CONCRETE SIDEWALK	4380	S.F.	\$4.00	\$17,520.00	\$1.85	\$8,103.00	\$3.75	\$16,425.00	\$3.75	\$16,425.00
21 6" EDGE DRAIN	500	L.F.	\$20.00	\$10,000.00	\$0.50	\$250.00	\$15.40	\$7,700.00	\$7.00	\$3,500.00
22 TEMPORARY WATER SERVICE	1	LSUM	\$10,000.00	\$10,000.00	\$12,000.00	\$12,000.00	\$14,300.00	\$14,300.00	\$4,000.00	\$4,000.00
23 ADA RAMP	4	EACH	\$2,000.00	\$8,000.00	\$50.00	\$200.00	\$242.00	\$968.00	\$300.00	\$1,200.00
24 10" PLAIN CONCRETE W/INTERGAL CURB	910	SYD	\$60.00	\$54,600.00	\$1.00	\$910.00	\$51.25	\$46,637.50	\$50.00	\$45,500.00
25 HMA, 36A	48	TON	\$150.00	\$7,200.00	\$120.00	\$5,760.00	\$145.20	\$6,969.60	\$120.00	\$5,760.00
26 MAINTENANCE AGG., 21 AA LIMESTONE	300	TON	\$20.00	\$6,000.00	\$2.00	\$600.00	\$18.70	\$5,610.00	\$20.00	\$6,000.00
27 SILT SACK	5	EACH	\$500.00	\$2,500.00	\$50.00	\$250.00	\$214.50	\$1,072.50	\$100.00	\$500.00
28 MOWING	4	TIMES	\$300.00	\$1,200.00	\$100.00	\$400.00	\$220.00	\$880.00	\$100.00	\$400.00
29 WATERING, 1000 GAL./UNIT	75	UNITS	\$10.00	\$750.00	\$10.00	\$750.00	\$16.50	\$1,237.50	\$25.00	\$1,875.00
30 TRAFFIC CONTROL	1	LSUM	\$15,000.00	\$15,000.00	\$16,000.00	\$16,000.00	\$4,950.00	\$4,950.00	\$3,000.00	\$3,000.00
31 SAWCUT, REMOVE & REPLACE CURR (IF NEEDED)	300	L.F.	\$40.00	\$12,000.00	\$5.00	\$1,500.00	\$24.65	\$7,395.00	\$20.00	\$6,000.00
32 REMOVE & REPLACE DRAINAGE STRUCTURE	2	EACH	\$1,000.00	\$2,000.00	\$500.00	\$1,000.00	\$2,530.00	\$5,060.00	\$1,500.00	\$3,000.00
33 SOD REPLACEMENT (IF NEEDED)	300	SYD	\$5.00	\$1,500.00	\$2.00	\$600.00	\$5.50	\$1,650.00	\$4.00	\$1,200.00
34 SPRINKLERS (INCLUDED)	XXX	XXX								
35 RESTORATION (INCLUDED)	XXX	XXX								
				\$427,956.00		\$320,758.00		\$368,849.00		\$376,383.50

BID TABULATION
 COOLIDGE WATER MAIN REPLACEMENT
 CITY OF TROY
 OAKLAND COUNTY, MICHIGAN

D & M Contracting, Inc.
 12501 23 Mile Road
 Shelby Twp., MI

Troelsen Excavating
 1395 Rochester Road
 Troy, Michigan 48083-6015

C & G Meyers
 53162 Pontiac Trail, Ste. A
 Milford, MI 48381

V.I.L. Construction Inc.
 6670 Sims Drive
 Sterling Hgts., MI 48313

Item	Quantity		Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost	Unit Price	Total Cost
1 Audio - Video of Construction Area	1	LSUM	\$1,550.00	\$1,550.00	\$1,500.00	\$1,500.00	\$1,375.00	\$1,375.00	\$1,500.00	\$1,500.00
2 EXPLORATORY EXCAVATION	6	EACH	\$1,200.00	\$7,200.00	\$200.00	\$1,200.00	\$725.00	\$4,350.00	\$300.00	\$1,800.00
3 REMOVE SIDEWALK	487	SYD	\$4.00	\$1,948.00	\$7.00	\$3,409.00	\$3.20	\$1,558.40	\$6.75	\$3,287.25
4 REMOVE PAVEMENT	910	SYD	\$5.25	\$4,777.50	\$10.00	\$9,100.00	\$6.30	\$5,733.00	\$12.00	\$10,920.00
5 REMOVE APPROACH	208	SYD	\$10.50	\$2,184.00	\$7.00	\$1,456.00	\$7.90	\$1,643.20	\$6.75	\$1,404.00
6 REMOVE STUMPS 8" - 18"	1	EACH	\$200.00	\$200.00	\$300.00	\$300.00	\$250.00	\$250.00	\$350.00	\$350.00
7 REMOVE GATE VALVE & WELL	8	EACH	\$600.00	\$4,800.00	\$350.00	\$2,800.00	\$360.00	\$2,880.00	\$350.00	\$2,800.00
8 REMOVE HYDRANT	5	EACH	\$700.00	\$3,500.00	\$350.00	\$1,750.00	\$360.00	\$1,800.00	\$375.00	\$1,875.00
9 12" D.I. WATER MAIN, 12", T.D. - G	1950	L.F.	\$73.50	\$143,325.00	\$88.00	\$171,600.00	\$96.00	\$187,200.00	\$86.00	\$167,700.00
10 8" D.I. WATER MAIN, 12", T.D. - G	144	L.F.	\$119.00	\$17,136.00	\$77.00	\$11,088.00	\$68.50	\$9,864.00	\$73.00	\$10,512.00
11 6" STD. HYDRANT	5	EACH	\$2,500.00	\$12,500.00	\$3,300.00	\$16,500.00	\$2,950.00	\$14,750.00	\$2,700.00	\$13,500.00
12 12" GATE VALVE IN WELL	3	EACH	\$4,300.00	\$12,900.00	\$4,300.00	\$12,900.00	\$3,100.00	\$9,300.00	\$3,500.00	\$10,500.00
13 8" GATE VALVE IN WELL	2	EACH	\$2,700.00	\$5,400.00	\$2,500.00	\$5,000.00	\$2,550.00	\$5,100.00	\$2,700.00	\$5,400.00
14 16"x12" TAPPING SLEEVE & VALVE IN WELL	2	EACH	\$10,300.00	\$20,600.00	\$6,000.00	\$12,000.00	\$7,890.00	\$15,780.00	\$10,000.00	\$20,000.00
15 16"x8" TAPPING SLEEVE & VALVE IN WELL	1	EACH	\$8,200.00	\$8,200.00	\$5,000.00	\$5,000.00	\$5,665.00	\$5,665.00	\$7,200.00	\$7,200.00
16 8" CONNECTION	5	EACH	\$900.00	\$4,500.00	\$3,000.00	\$15,000.00	\$1,990.00	\$9,950.00	\$2,750.00	\$13,750.00
17 2" BLOW OFF	10	EACH	\$300.00	\$3,000.00	\$300.00	\$3,000.00	\$785.00	\$7,850.00	\$300.00	\$3,000.00
18 CUT & CAP	8	EACH	\$500.00	\$4,000.00	\$300.00	\$2,400.00	\$360.00	\$2,880.00	\$350.00	\$2,800.00
19 ABANDON/REMOVE WATER MAIN	1	LSUM	\$9,500.00	\$9,500.00	\$7,000.00	\$7,000.00	\$4,000.00	\$4,000.00	\$1,500.00	\$1,500.00
20 4" CONCRETE SIDEWALK	4380	S.F.	\$3.50	\$15,330.00	\$7.00	\$30,660.00	\$3.20	\$14,016.00	\$3.25	\$14,235.00
21 6" EDGE DRAIN	500	L.F.	\$10.00	\$5,000.00	\$15.00	\$7,500.00	\$8.85	\$4,425.00	\$10.00	\$5,000.00
22 TEMPORARY WATER SERVICE	1	LSUM	\$2,500.00	\$2,500.00	\$5,000.00	\$5,000.00	\$8,530.00	\$8,530.00	\$5,000.00	\$5,000.00
23 ADA RAMP	4	EACH	\$550.00	\$2,200.00	\$300.00	\$1,200.00	\$200.00	\$800.00	\$250.00	\$1,000.00
24 10" PLAIN CONCRETE W/INTERGAL CURB	910	SYD	\$55.00	\$50,050.00	\$42.00	\$38,220.00	\$45.30	\$41,223.00	\$50.00	\$45,500.00
25 HMA, 36A	48	TON	\$113.00	\$5,424.00	\$100.00	\$4,800.00	\$150.00	\$7,200.00	\$120.00	\$5,760.00
26 MAINTENANCE AGG., 21 AA LIMESTONE	300	TON	\$18.00	\$5,400.00	\$20.00	\$6,000.00	\$18.72	\$5,616.00	\$15.00	\$4,500.00
27 SILT SACK	5	EACH	\$50.00	\$250.00	\$150.00	\$750.00	\$100.00	\$500.00	\$125.00	\$625.00
28 MOWING	4	TIMES	\$500.00	\$2,000.00	\$200.00	\$800.00	\$200.00	\$800.00	\$150.00	\$600.00
29 WATERING, 1000 GAL./UNIT	75	UNITS	\$85.00	\$6,375.00	\$50.00	\$3,750.00	\$10.00	\$750.00	\$11.00	\$825.00
30 TRAFFIC CONTROL	1	LSUM	\$13,000.00	\$13,000.00	\$3,000.00	\$3,000.00	\$10,300.00	\$10,300.00	\$30,000.00	\$30,000.00
31 SAWCUT, REMOVE & REPLACE CURR (IF NEEDED)	300	L.F.	\$21.00	\$6,300.00	\$20.00	\$6,000.00	\$27.30	\$8,190.00	\$15.00	\$4,500.00
32 REMOVE & REPLACE DRAINAGE STRUCTURE	2	EACH	\$1,500.00	\$3,000.00	\$2,000.00	\$4,000.00	\$1,640.00	\$3,280.00	\$1,750.00	\$3,500.00
33 SOD REPLACEMENT (IF NEEDED)	300	SYD	\$5.00	\$1,500.00	\$6.00	\$1,800.00	\$3.45	\$1,035.00	\$5.00	\$1,500.00
34 SPRINKLERS (INCLUDED)	XXX	XXX								
35 RESTORATION (INCLUDED)	XXX	XXX								
				\$385,549.50		\$396,483.00		\$398,593.60		\$402,343.25

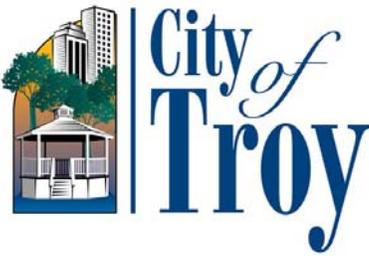
BID TABULATION
 COOLIDGE WATER MAIN REPLACEMENT
 CITY OF TROY
 OAKLAND COUNTY, MICHIGAN

Tyger Excavating, Inc.
 57250 Rosell Rd.
 New Haven, MI 48048

Ferguson Enterprises
 14385 Wyoming
 Detroit, MI 48238

Bricco Excavating Co., LLC
 21201 Meyer Rd.
 Oak Park, MI 48237

Item	Quantity	Unit Price	Total Cost	Unit Price	Total Cost				
1 Audio – Video of Construction Area	1	LSUM	\$3,500.00	\$3,500.00	\$2,500.00	\$2,500.00	\$15,000.00	\$15,000.00	
2 EXPLORATORY EXCAVATION	6	EACH	\$700.00	\$4,200.00	\$320.00	\$1,920.00	\$1,500.00	\$9,000.00	
3 REMOVE SIDEWALK	487	SYD	\$4.50	\$2,191.50	\$3.00	\$1,461.00	\$5.00	\$2,435.00	
4 REMOVE PAVEMENT	910	SYD	\$7.00	\$6,370.00	\$10.00	\$9,100.00	\$9.00	\$8,190.00	
5 REMOVE APPROACH	208	SYD	\$5.00	\$1,040.00	\$3.00	\$624.00	\$9.00	\$1,872.00	
6 REMOVE STUMPS 8" - 18"	1	EACH	\$200.00	\$200.00	\$220.00	\$220.00	\$650.00	\$650.00	
7 REMOVE GATE VALVE & WELL	8	EACH	\$175.00	\$1,400.00	\$450.00	\$3,600.00	\$450.00	\$3,600.00	
8 REMOVE HYDRANT	5	EACH	\$500.00	\$2,500.00	\$640.00	\$3,200.00	\$450.00	\$2,250.00	
9 12" D.I. WATER MAIN, 12", T.D. - G	1950	L.F.	\$98.00	\$191,100.00	\$89.00	\$173,550.00	\$100.00	\$195,000.00	
10 8" D.I. WATER MAIN, 12", T.D. - G	144	L.F.	\$84.00	\$12,096.00	\$72.00	\$10,368.00	\$85.00	\$12,240.00	
11 6" STD. HYDRANT	5	EACH	\$2,200.00	\$11,000.00	\$3,500.00	\$17,500.00	\$3,600.00	\$18,000.00	
12 12" GATE VALVE IN WELL	3	EACH	\$3,000.00	\$9,000.00	\$5,800.00	\$17,400.00	\$3,600.00	\$10,800.00	
13 8" GATE VALVE IN WELL	2	EACH	\$2,100.00	\$4,200.00	\$4,500.00	\$9,000.00	\$2,800.00	\$5,600.00	
14 16"x12" TAPPING SLEEVE & VALVE IN WELL	2	EACH	\$9,500.00	\$19,000.00	\$8,800.00	\$17,600.00	\$7,000.00	\$14,000.00	
15 16"x8" TAPPING SLEEVE & VALVE IN WELL	1	EACH	\$8,000.00	\$8,000.00	\$7,800.00	\$7,800.00	\$6,800.00	\$6,800.00	
16 8" CONNECTION	5	EACH	\$3,500.00	\$17,500.00	\$1,000.00	\$5,000.00	\$3,500.00	\$17,500.00	
17 2" BLOW OFF	10	EACH	\$200.00	\$2,000.00	\$300.00	\$3,000.00	\$250.00	\$2,500.00	
18 CUT & CAP	8	EACH	\$100.00	\$800.00	\$660.00	\$5,280.00	\$900.00	\$7,200.00	
19 ABANDON/REMOVE WATER MAIN	1	LSUM	\$5,000.00	\$5,000.00	\$1,900.00	\$1,900.00	\$2,000.00	\$2,000.00	
20 4" CONCRETE SIDEWALK	4380	S.F.	\$3.50	\$15,330.00	\$4.00	\$17,520.00	\$3.50	\$15,330.00	
21 6" EDGE DRAIN	500	L.F.	\$12.00	\$6,000.00	\$26.00	\$13,000.00	\$15.00	\$7,500.00	
22 TEMPORARY WATER SERVICE	1	LSUM	\$13,000.00	\$13,000.00	\$9,400.00	\$9,400.00	\$7,500.00	\$7,500.00	
23 ADA RAMP	4	EACH	\$200.00	\$800.00	\$1,300.00	\$5,200.00	\$350.00	\$1,400.00	
24 10" PLAIN CONCRETE W/INTERGAL CURB	910	SYD	\$46.00	\$41,860.00	\$57.00	\$51,870.00	\$59.00	\$53,690.00	
25 HMA, 36A	48	TON	\$150.00	\$7,200.00	\$110.00	\$5,280.00	\$130.00	\$6,240.00	
26 MAINTENANCE AGG., 21 AA LIMESTONE	300	TON	\$15.00	\$4,500.00	\$24.00	\$7,200.00	\$30.00	\$9,000.00	
27 SILT SACK	5	EACH	\$100.00	\$500.00	\$500.00	\$2,500.00	\$85.00	\$425.00	
28 MOWING	4	TIMES	\$75.00	\$300.00	\$130.00	\$520.00	\$400.00	\$1,600.00	
29 WATERING, 1000 GAL./UNIT	75	UNITS	\$20.00	\$1,500.00	\$25.00	\$1,875.00	\$100.00	\$7,500.00	
30 TRAFFIC CONTROL	1	LSUM	\$35,000.00	\$35,000.00	\$39,200.00	\$39,200.00	\$12,000.00	\$12,000.00	
31 SAWCUT, REMOVE & REPLACE CURR (IF NEEDED)	300	L.F.	\$27.00	\$8,100.00	\$34.00	\$10,200.00	\$35.00	\$10,500.00	
32 REMOVE & REPLACE DRAINAGE STRUCTURE	2	EACH	\$1,300.00	\$2,600.00	\$2,200.00	\$4,400.00	\$1,500.00	\$3,000.00	
33 SOD REPLACEMENT (IF NEEDED)	300	SYD	\$1.50	\$450.00	\$6.30	\$1,890.00	\$8.00	\$2,400.00	
34 SPRINKLERS (INCLUDED)	XXX	XXX							
35 RESTORATION (INCLUDED)	XXX	XXX							
				\$438,237.50		\$461,078.00		\$472,722.00	



CITY COUNCIL ACTION REPORT

May 28, 2008

TO: Phillip L. Nelson, City Manager

FROM: John M. Lamerato, Assistant City Manager/Finance & Administration
Susan A. Leirstein, Purchasing Director
Carol K. Anderson, Parks and Recreation Director

SUBJECT: Standard Purchasing Resolution 1: Award To Low Bidder – Topsoil

Background

- On May 14, 2008, bids were received and opened to provide two (2) year requirements of topsoil with an option to renew for one additional year.
- 81 Vendors were notified via the MITN system with seven (7) bid responses received.

Financial Considerations

- Funds for these materials are available through the Public Works operating budgets for Streets and Water, as monies clear through the balance sheet Inventory Account for Topsoil; and also through the Parks and Recreation budget for Parks and Tree Maintenance.

Legal Considerations

- ITB-COT 08-19, Topsoil was competitively bid as required by City Charter and Code.
- The award is contingent upon the recommended bidder's submission of proper contract and bid documents, including insurance certificates and all other specified requirements.

Policy Considerations

- Competitive bidding minimizes cost to the City and increases government effectiveness. (Goal II)
- All bidders were given the opportunity to respond with their level of interest in providing topsoil to the City of Troy. (Goal II)

Options

- City management and the Parks and Recreation department recommend awarding a two (2) year contract for topsoil with a one (1) year renewal option to the low bidder, Sterling Topsoil and Grading Inc. of Fraser, MI, for an estimated total cost of \$21,300.00 for 2008 and \$23,850.00 for 2009, at unit prices contained in the bid tabulation, which opened May 14, 2008.

VENDOR NAME:

Sterling Topsoil	AKO Contracting	B & L Topsoil	B & W Landscape
& Grading, Inc.	Inc.		Supply, Inc.

Proposal: FURNISH TWO YEAR REQUIREMENTS OF TOPSOIL WITH AN OPTION TO RENEW FOR ONE ADDITIONAL YEAR

				UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE
<u>Estimated Quantity (CY)</u>							
3,000	TOPSOIL	2008/2009		\$ 7.10	\$ 8.94	\$ 9.24	\$ 8.94
3,000	TOPSOIL	2009/2010		\$ 7.95	\$ 9.24	\$ 9.49	\$ 9.94
ESTIMATED GRAND TOTAL:				\$ 45,150.00	\$ 54,540.00	\$ 56,190.00	\$ 56,640.00
DELIVERY:	Minimum Shipment:			30 C.Y.	50 Yards	30 C.Y.	50 Yards
	Within Hours of Phone Release			24 Hrs	24 Hrs	24 Hrs	24 Hrs
CONTACT INFORMATION:	Hours of Operation			8 AM to 5 PM	M-F 8 to 5	7 AM to 5 PM	Sat 8 to 4 M - F 8 to 6
	Phone Number			586.264.3000	248.673.5278	586.731.5199	586.463.0545
INSURANCE:	Can Meet			XX	XX	XX	XX
	Cannot Meet						
TERMS:				Net 30 days	Net 30	Net 30	Net 30
WARRANTY:				N/A	N/A	Blank	Blank
EXCEPTIONS:				Blank	Blank	50 CY yard loads are as bid/ 30 CY	Blank
						loads add .75 per CY Yard	
ACKNOWLEDGEMENT: Completed		Y or N		Yes	Yes	Yes	Yes

BOLDFACE TYPE DENOTES LOW BIDDER

ATTEST:

Ron Hynd
Diane Fisher
Linda Bockstanz

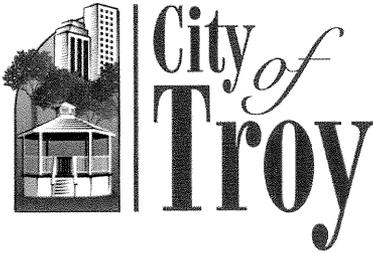
 Susan Leirstein CPPB
 Purchasing Director

VENDOR NAME:

Troy Aggregate Carriers, Inc.	Anderson Excavating, inc.	Lukes Trucking & Excavating	

Proposal: FURNISH TWO YEAR REQUIREMENTS OF TOPSOIL WITH AN OPTION TO RENEW FOR ONE ADDITIONAL YEAR

				UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE
<u>Estimated Quantity (CY)</u>							
3,000	TOPSOIL	2008/2009		\$ 9.50	\$ 12.00	\$ 11.89	
3,000	TOPSOIL	2009/2010		\$ 10.50	\$ 12.60	\$ 12.95	
ESTIMATED GRAND TOTAL:				\$ 60,000.00	\$ 73,800.00	\$ 74,520.00	
DELIVERY: Minimum Shipment:				44 Yards	28 C.Y.	40 Yards	
Within Hours of Phone Release				48 Hrs	24 Hrs	24 Hrs	
CONTACT INFORMATION:							
Hours of Operation				7 AM to 7 PM	M-F 8 to 4:30	M-S 7am to 7pm	
Phone Number				586.446.9200	248.682.7900	248.240.0938	
INSURANCE: Can Meet				XX	XX	XX	
Cannot Meet							
TERMS:				Net 30	Net 30	Net 30	
						2% -10 Days	
WARRANTY:				Blank	Blank	None	
EXCEPTIONS:				Blank	Blank	None	
ACKNOWLEDGEMENT: Completed				Yes	Yes	Yes	
Y or N							



CITY COUNCIL ACTION REPORT

May 20, 2008

TO: Phillip L. Nelson, City Manager

FROM: Charles T. Craft, Chief of Police *CC*
 Captain Colleen Mott, Support Services Division *CCM*
 Sergeant Robert Cantlon *RC*

SUBJECT: Application for transfer of Class C license to CJ Mahoney's of Troy, LLC.

Background:

- CJ Mahoney's of Troy, LLC. requesting to transfer ownership escrowed 2007 Class C licensed business with Dance - Entertainment Permit, located in escrow at 25231 Telegraph, Southfield, MI 48034, Oakland County, from B&P Saloons, Inc.; and transfer location (Governmental Unit) (MCL 436.1531(1) to 2511 Livernois Troy Michigan, 48083, Oakland County; requesting a new outdoor service (1 area), new entertainment permit, new SDM license, to be held in conjunction. {MLCC Req #434767}
- On May 12, 2008, applicants Thomas Everson and Curtiss Pagels, of CJ Mahoney's of Troy, LLC, answered questions for the Liquor Advisory Committee.
- Mr. Everson explained to the Committee that he has owned and operated restaurants with liquor licenses for upwards of 8 years and will operate this establishment as CJ Mahoney's.
- Mr. Everson and Mr. Pagels currently own and operate CJ Mahoney's in Rochester Hills.
- The Committee unanimously approved this request.

Financial Considerations:

- There are no financial considerations for the City.

Legal Considerations:

- The request complies with all applicable Troy City ordinances and Michigan Liquor Control Commission rules.
- The Police Department did not find any disqualifying factors for this request.
- The MLCC requires local government approval for the transfer of Class C licenses.

Policy Considerations:

- City Goal III: “Retain and attract investment while encouraging redevelopment”.

Options:

- City Council can approve or deny the request.

A regular meeting of the Liquor Advisory Committee was held on Monday, May 12, 2008 in the Council Board Room of Troy City Hall, 500 West Big Beaver Road. Committee member Henry W. Allemon called the meeting to order at 7:06 p.m.

ROLL CALL:

PRESENT: Henry W. Allemon
Patrick C. Hall
David S. Ogg
Timothy P. Payne
Bohdan L. Ukraineec
Clark Yuan, Student Representative
Susan Lancaster, Assistant City Attorney
Sergeant Robert Cantlon
Pat Gladysz

ABSENT: Max K. Ehlert, Chairman
W. Stan Godlewski

Resolution to Excuse Committee Members Ehlert and Godlewski

Resolution #LC2008-05-011
Moved by Hall
Seconded by Ukraineec

RESOLVED, that the absence of Committee members Ehlert and Godlewski at the Liquor Advisory Committee meeting of May 12, 2008 BE EXCUSED.

Yes: 5
No: 0
Absent: Ehlert, Godlewski

Resolution to Approve Minutes of March 10, 2008 Meeting

Resolution #LC2008-05-012
Moved by Hall
Seconded by Payne

RESOLVED, that the Minutes of the March 10, 2008 meeting of the Liquor Advisory Committee be approved.

Yes: 5
No: 0
Absent: Ehlert, Godlewski

Agenda Items

1. **C. J. Mahoney's of Troy, LLC** requests to transfer ownership of 2007 Class C licensed business with dance permit and direct connection-1 located in escrow at 25231 Telegraph, Southfield, MI 48034, Oakland County, from B&P Saloons, Inc.; and transfer location (Governmental Unit) (MCL 436.1531(1)) to 2511 Livernois, Troy, MI 48084, Oakland County. {MLCC Req. #430976}

Present to answer questions from the Committee were Thomas Everson and Curtiss Pagels.

Mr. Pagels explained to the Committee that the former restaurant owners were only interested in selling their liquor license in combination with the business assets. Mr. Pagels and Mr. Everson were not interested in purchasing the business, so they negotiated a lease with the landlord and are here to transfer a liquor license from Southfield. These two representatives have been in the bar/restaurant business for many years.

The menu will be the same as the Rochester Hills location. They provide TIPS/TAMS training for all employees. This new location on Livernois has been completely remodeled with a possible June opening.

Sergeant Cantlon indicated that his investigation revealed no violations.

Resolution #LC2008-05-013

Moved by Ukrainec

Seconded by Ogg

RESOLVED, that C. J. Mahoney's of Troy, LLC be allowed to transfer ownership of 2007 Class C licensed business with dance permit and direct connection-1 located in escrow at 25231 Telegraph, Southfield, MI 48034, Oakland County, from B&P Saloons, Inc.; and transfer location (Governmental Unit) (MCL 436.1531(1)) to 2511 Livernois, Troy, MI 48084, Oakland County.

Yes: 5
No: 0
Absent: Ehlert, Godlewski

There was a brief discussion on the informational items:

1. **Gallatin, Inc.** requesting a new additional bar (for a total of 4 bars) on 2007 Class C licensed business, with Official Permit (food), Dance Permit, Outdoor Service (2 areas) and 3 bars, located at 5725 Rochester, Troy Michigan, 48084, Oakland County. {MLCC req #470651}
This was previously approved by City Council amendment to the ordinance regarding alcohol sales on the golf course.

This item deals with the beer cart for Sylvan Glen Golf Course.

2. **Cucina Development, Inc.**, Bravo Development, Inc., (an Ohio Corporation) requesting to drop space and cancel additional bar permit, leaving a total of (1) bar, from 2007 Class C – SDM licensed business, with Direct Connection (1), Outdoor Service (1 area), Official Permit (food), and 2 bars, located at Somerset Collection South, 2801 W. Big Beaver, Suite E150, Troy Michigan, 48084, Oakland County. This is the closing of Bon Vie, and does not require local government approval.

Bon Vie did not hold a separate license. It is now closed.

Assistant City Attorney Lancaster explained to the Committee that City Council revoked the 1993 Resolution stating that there cannot be two facilities with Class C licenses and entertainment permits within 3000 feet of each other. The City Attorney's Office is in the process of drafting language for the City Ordinance. The Liquor Advisory Committee will be asked to review this document.

The meeting adjourned at 7:35 p.m.

Henry W. Allemon

Patricia A. Gladysz, Secretary II



Michigan Department of Labor & Economic Growth
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)

7150 Harris Drive, P.O. Box 30005
Lansing, Michigan 48909-7505

FOR MLCC USE ONLY

Request ID # 430976

Business ID # 201794

POLICE INVESTIGATION REPORT

[Authorized by MCL 436.1217 and R 436.1105; MAC]

Please conduct your investigation as soon as possible, complete all four sections of this report and return the completed report and fingerprint cards to the MLCC

LICENSEE/APPLICANT NAME, BUSINESS ADDRESS AND LICENSING REQUEST:

C.J. MAHONEY'S OF TROY, LLC REQUESTS TO TRANSFER OWNERSHIP OF 2007 CLASS C LICENSED BUSINESS WITH DANCE-ENTERTAINMENT PERMIT AND DIRECT CONNECTION, LOCATED IN ESCROW AT 25231 TELEGRAPH, SOUTHFIELD, MI 48034, OAKLAND COUNTY, FROM B & P SALOONS, INC.; AND TRANSFER LOCATION (GOVERNMENTAL UNIT) (MCL 436.1531(1) TO 2511 LIVERNOIS, TROY, MI 48084, OAKLAND COUNTY.

Section 1. APPLICANT INFORMATION

APPLICANT #1:
JOSEPH R. EVERSON, II - MEMBER
3788 DEARBORN
ROCHESTER HILLS, MI 48309
B(248)293-2800

APPLICANT #2:
THOMAS W. EVERSON - MEMBER
1850 BROMLEY LANE
ROCHESTER, MI 48306
B(248)293-2800

DATE FINGERPRINTED:

DATE FINGERPRINTED: NO FINGERPRINTS REQUIRED

DATE OF BIRTH:
Is the applicant a U.S. Citizen: Yes No*

DATE OF BIRTH:
Is the applicant a U.S. Citizen: Yes No*

*Does the applicant have permanent Resident Alien status?
Yes No*

*Does the applicant have permanent Resident Alien status?
Yes No*

*Does the applicant have a Visa? Enter status:

*Does the applicant have a Visa? Enter status:

Attach the fingerprint card and \$30.00 for each card and mail to the Michigan Liquor Control Commission

ARREST RECORD: Felony Misdemeanor
Enter record of all arrests & convictions (attach a signed and dated report if more space is needed)

ARREST RECORD: Felony Misdemeanor
Enter record of all arrests & convictions (attach a signed and dated report if more space is needed)

Section 2. INVESTIGATION OF BUSINESS AND ADDRESS TO BE LICENSED

Does applicant intend to have dancing, entertainment, topless activity, or extended hours permit?
No Yes, complete LC-1636

Are gas pumps on the premises or directly adjacent? No Yes, explain relationship:

Section 3. LOCAL AND STATE CODES AND ORDINANCES, AND GENERAL RECOMMENDATIONS

Will the applicant's proposed location meet all appropriate state and local building, plumbing, zoning, fire, sanitation and health laws and ordinances, if this license is granted? Yes No

If you are recommending approval subject to certain conditions, list the conditions: (attach a signed and dated report if more space is needed)

Section 4. RECOMMENDATION

From your investigation:

- 1. Is this applicant qualified to conduct this business if licensed? Yes No
2. Is the proposed location satisfactory for this business? Yes No
3. Should the Commission grant this request? Yes No
4. If any of the above 3 questions were answered no, state your reasons: (Attach a signed and dated report if more space is needed)

Signature (Sheriff or Chief of Police)

Date

TROY POLICE DEPARTMENT



Michigan Department of Labor & Economic Growth
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
7150 Harris Drive, P.O. Box 30005
Lansing, Michigan 48909-7505

POLICE INVESTIGATION REPORT
[Authorized by MCL 436.1217 and R 436.1105; MAC]

FOR MLCC USE ONLY
Request ID # 430976
Business ID # 201794

Please conduct your investigation as soon as possible, complete all four sections of this report and return the completed report and fingerprint cards to the MLCC

LICENSEE/APPLICANT NAME, BUSINESS ADDRESS AND LICENSING REQUEST:

C.J. MAHONEY'S OF TROY, LLC REQUESTS TO TRANSFER OWNERSHIP OF 2007 CLASS C LICENSED BUSINESS WITH DANCE-ENTERTAINMENT PERMIT AND DIRECT CONNECTION-1, LOCATED IN ESCROW AT 25231 TELEGRAPH, SOUTHFIELD, MI 48034, OAKLAND COUNTY, FROM B & P SALOONS, INC.; AND TRANSFER LOCATION (GOVERNMENTAL UNIT) (MCL 436.1531(1)) TO 2511 LIVERNOIS, TROY, MI 48084, OAKLAND COUNTY.

Section 1. APPLICANT INFORMATION

APPLICANT #1:
CURTISS E. PAGELS - MEMBER
905 EAST BUELL
ROCHESTER, MI 48306
H(248)652-8488/B(248)293-2800

APPLICANT #2:

DATE FINGERPRINTED: **NO FINGERPRINTS REQUIRED**

DATE FINGERPRINTED:

DATE OF BIRTH:
Is the applicant a U.S. Citizen: Yes No*

DATE OF BIRTH:
Is the applicant a U.S. Citizen: Yes No*

*Does the applicant have permanent Resident Alien status?
 Yes No*

*Does the applicant have permanent Resident Alien status?
 Yes No*

*Does the applicant have a Visa? Enter status:

*Does the applicant have a Visa? Enter status:

****Attach the fingerprint card and \$30.00 for each card and mail to the Michigan Liquor Control Commission****

ARREST RECORD: **Felony** **Misdemeanor**
Enter record of all arrests & convictions (attach a signed and dated report if more space is needed)

ARREST RECORD: **Felony** **Misdemeanor**
Enter record of all arrests & convictions (attach a signed and dated report if more space is needed)

Section 2. INVESTIGATION OF BUSINESS AND ADDRESS TO BE LICENSED

Does applicant intend to have dancing, entertainment, topless activity, or extended hours permit?
 No Yes, complete LC-1636

Are gas pumps on the premises or directly adjacent? No Yes, explain relationship:

Section 3. LOCAL AND STATE CODES AND ORDINANCES, AND GENERAL RECOMMENDATIONS

Will the applicant's proposed location meet all appropriate state and local building, plumbing, zoning, fire, sanitation and health laws and ordinances, if this license is granted? Yes No

If you are recommending approval subject to certain conditions, list the conditions: (attach a signed and dated report if more space is needed)

Section 4. RECOMMENDATION

From your investigation:

1. Is this applicant qualified to conduct this business if licensed? Yes No
2. Is the proposed location satisfactory for this business? Yes No
3. Should the Commission grant this request? Yes No
4. If any of the above 3 questions were answered no, state your reasons: (Attach a signed and dated report if more space is needed)

Signature (Sheriff or Chief of Police)

Date

TROY POLICE DEPARTMENT



Michigan Department of Labor & Economic Growth
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)

7150 Harris Drive, P.O. Box 30005
Lansing, Michigan 48909-7505

FOR MLCC USE ONLY

Request ID # 430976

Business ID # 201794

LAW ENFORCEMENT RECOMMENDATION

[Authorized by MCL 436.1916, R 436.1105(2)(d) and R 436.1403]

November 7, 2007

TO:

Re: C.J. MAHONEY'S OF TROY, LLC

We have received a request from the above licensee for the type of permit indicated below. Please make an investigation and submit your report and/or recommendation to the offices of the MLCC at the above address. Questions about this request should be directed to the MLCC Licensing Division at (517) 322-1400.

OFFICIAL PERMIT FOR EXTENDED HOURS OF OPERATION FOR: _____
 Weekdays _____ A.M. to _____ A.M. _____
 Sundays _____ A.M. to _____ A.M./P.M.

Recommended Recommended, subject to final inspection Not Recommended

NOTE: If the applicant is requesting two separate extended hours permits and the permits are for **different hours** you must complete the box below. If additional space is needed please use reverse side of this form.

OFFICIAL PERMIT FOR EXTENDED HOURS OF OPERATION FOR: _____
 Weekdays _____ A.M. to _____ A.M. _____
 Sundays _____ A.M. to _____ A.M./P.M.

Recommended Recommended, subject to final inspection Not Recommended

DANCE PERMIT

Recommended Recommended, subject to final inspection Not Recommended

ENTERTAINMENT PERMIT

Recommended Recommended, subject to final inspection Not Recommended

TOPLESS ACTIVITY PERMIT

Recommended Recommended, subject to final inspection Not Recommended

OUTDOOR SERVICE

Recommended Recommended, subject to final inspection Not Recommended

PARTICIPATION PERMIT

Recommended Recommended, subject to final inspection Not Recommended

ADDITIONAL BAR PERMIT

Recommended Recommended, subject to final inspection Not Recommended

~~DIRECT CONNECTION-1~~ *CANCELLED*

Recommended Recommended, subject to final inspection Not Recommended

Signed:

Signature and Title

Print Name and Title

TROY POLICE DEPARTMENT

Date: _____

sfs

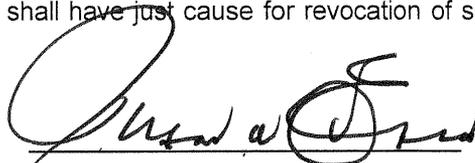
AGREEMENT REGARDING LIQUOR LICENSE REQUEST

This Agreement, made this ____ day of _____, 2008, by and between the CITY OF TROY, MICHIGAN, a municipal corporation, with offices located at 500 W. Big Beaver Road, Troy, Michigan, 48084, hereinafter known as THE CITY, and C.J.Mahoney's of Troy, LLC whose address is 2511 Livernois, the Applicant, hereinafter known as APPLICANT.

1. The City Council of the City of Troy, for and in consideration of the following covenants and conditions, agrees to recommend to the Michigan Liquor Control Commission Approval of the request to transfer ownership of a Class C licensed business located in escrow at 25231 Telegraph, Southfield, MI from B&P Saloons, Inc. to C.J. Mahoney's of Troy, LLC.
2. In consideration of the City of Troy's recommendation for approval of the request, the applicant hereby agrees that:
 - (a) It has read and is aware of the provisions of City of Troy Ordinances, Chapter No. 67, Chapter No. 68 and Chapter No. 98, and agrees that it shall be deemed to have knowledge of any subsequent amendments to said Chapters which may become effective during the term of this agreement.
 - (b) It has read and is in receipt of copies of the provisions of the City of Troy, City Council Resolution No. 93-1028 regarding Entertainment Permits, and agrees that it shall be deemed to have knowledge of any subsequent amendments to the Resolution which may become effective during the term of this agreement.
 - (c) It agrees to observe and comply with all laws, statutes, ordinances, rules, regulations or resolutions of the United States government, State of Michigan, and the City of Troy, or any department or agency of the governmental entities, as well as the rules and regulations of the Michigan Liquor Control Commission as they pertain to the operation of a liquor licensed business in the City of Troy.
 - (d) It agrees to immediately require all employees who serve/sell alcohol to attend a recognized alcohol awareness program, and forward the names of each certified employee to the Troy Police Department. The alcohol awareness program must either be recognized by the Troy Police Department (i.e. TIPS, TAMS), or the program must be reviewed by the Troy Police Department to insure that the program is comparable to the recognized programs.
3. Applicant agrees that the recommendation for Approval agreed upon by the City Council is not a property right and is approved upon the express and continuing condition that no violation as set forth in paragraph 2 of this agreement shall occur.
4. Applicant agrees that the recommendation for Approval agreed upon by the City Council is approved upon the express and continuing condition that the physical characteristics (including but not limited to the inside layout, building design and engineering, seating capacity, parking space allocations, fire exits, and other physical attributes); and also the nature and type of business intended to be conducted remain virtually the same.
5. Applicant agrees that upon such violation, after full investigation and an opportunity for said applicant to be heard, upon a finding by the City Council that a violation as set forth in paragraph 2 of this agreement has occurred, the City Council shall have just cause for revocation of said recommendation for approval.

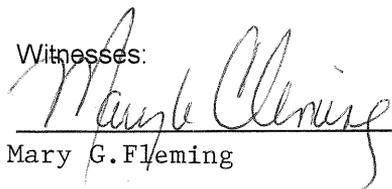


Curtiss E. Pagels - Member

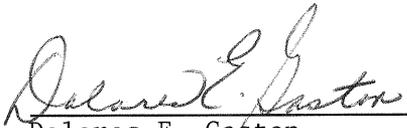


Thomas W. Everson, - Member

Witnesses:



Mary G. Fleming


Dolores E. Gaston

Subscribed and sworn to before me
this 2nd day of April, 2008


Dolores E. Gaston
Notary Public, Wayne County MI
County, (Acting in Oakland)
My commission expires: 7/30/14

CITY OF TROY

By: _____
Louise Schilling, Mayor

By: _____
Tonni Bartholomew, City Clerk

Witnesses:

Subscribed and sworn to before me
this _____ day of _____, 200____

Notary Public, Oakland
County, Michigan
My commission expires:

RESOLUTION

At a _____ meeting of the _____
(Regular or Special) (Township Board, City or Village Council)

called to order by _____ on _____ at _____ P.M.

The following resolution was offered:

Moved by _____ and supported by _____

That the request to TRANSFER OWNERSHIP OF 2007 CLASS C LICENSED BUSINESS WITH DANCE-ENTERTAINMENT PERMIT, LOCATED IN ESCROW AT 25231 TELEGRAPH, SOUTHFIELD, MI 48034, OAKLAND COUNTY, FROM B & P SALOONS, INC. TO C.J. MAHONEY'S OF TROY, LLC; AND TRANSFER LOCATION (GOVERNMENTAL UNIT) (MCL 436. 1531(1) TO 2511 LIVERNOIS, TROY, MI 48084, OAKLAND COUNTY.

be considered for _____
(Approval or Disapproval)

APPROVAL

DISAPPROVAL

Yeas: _____

Yeas: _____

Nays: _____

Nays: _____

Absent: _____

Absent: _____

It is the consensus of this legislative body that the application be:

_____ for issuance
(Recommended or Not Recommended)

State of Michigan _____)

County of _____)

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the _____ at a _____
(Township Board, City or Village Council) (Regular or Special)

meeting held on _____
(Date)

(Signed) _____
(Township, City or Village Clerk)

SEAL

(Mailing address of Township, City or Village)



CITY COUNCIL ACTION REPORT

May 15, 2008

TO: Phil Nelson, City Manager

FROM: John M. Lamarato, Assistant City Manager/Finance & Administration
Carol Anderson, Parks and Recreation Director

SUBJECT: Agenda Item: Medi-Go Service Agreement

Background:

- Attached please find the annual agreement with Troy Medi-Go for 2008-2009. This agreement states that the City will fund Medi-Go \$180,000.00 or entire municipal and community credits transferred from SMART (whichever is more).
- The 08-09 budget includes estimated Troy Medi-Go funding. However, the entire amount of municipal and community credits received from SMART are transferred to Medi-Go. In 07-08, the amount was \$182,516.
- Municipal credits are state authorized funds that are given directly to the Suburban Mobility Authority for Regional Transportation (SMART) to be divided among every city, township and village in Oakland, Wayne and Macomb Counties on a per capita basis. Community credits are a direct result of the SMART millage that provides opt-in communities with additional funds. Troy's municipal and community credit dollars have been used to support the community based Troy Medi-Go Plus service. Medi-Go Plus provided over 12,000 rides to over 600 unique senior and disabled riders in 2007.

Financial Considerations:

- There is neither expense nor financial implications to the City for this program as long as municipal and community credits are received as anticipated.

Legal Considerations:

- There is no change to format and content of previous agreements with Medi-Go.

Policy Considerations:

- These funds must be used for local public transportation. Medi-Go provides door-to-door service and wheelchair accessible vehicles. For these reasons, Medi-Go is well suited for our frail elderly and disabled population. (Goal #1)

Options:

It is recommended that the City Council approve the agreement with Troy Medi-Go Plus authorizing funding, which is anticipated to be reimbursed with municipal and community credits from SMART.

Where legal review is necessary:

Approved as to Form and Legality: _____
Lori Grigg Bluhm, City Attorney

Prepared by Carla Vaughan

**AGREEMENT BETWEEN
THE CITY OF TROY, MICHIGAN AND TROY MEDI-GO PLUS**

This agreement is made by and between the City of Troy, Michigan, a Michigan municipal corporation, whose address is 500 W. Big Beaver Road, Troy, Michigan 48084, hereinafter called "Troy", and Troy Medi-Go Plus, a Michigan non-profit corporation whose address is 3179 Livernois, Troy, Michigan 48083, hereinafter called "Medi-Go".

PURPOSE

To provide financial support from Troy to Medi-Go Plus for the purpose of maintaining a program to provide transportation service for senior citizens and physically handicapped residents of Troy, Michigan.

MEDI-GO RESPONSIBILITIES

Medi-Go shall provide the following services for senior citizens and physically handicapped individuals who are residents of Troy through the fiscal year, July 1,2008, through June 30, 2009:

1. Provide four (4) passenger vans with handicapped lifts operating approximately forty (40) hours per week.
2. Provide experienced and properly licensed drivers to operate the passenger vans. Those drivers' traffic records shall be screened by Medi-Go to insure that those drivers have good driving records and will not be a threat to the users health, safety or welfare.
3. Arrange for storing the passenger vans.
4. Provide a central scheduling person to implement the transportation services.

MEDI-GO FURTHER AGREES:

1. To maintain fiscal records and files, including appropriate income and expense ledgers.
2. To permit an independent auditor representing Troy to audit accounts of income and expenses relating to Troy's contribution with findings to be submitted to Troy.
3. To comply with all state and local regulations covering the use of passenger vans.

4. To indemnify, save and hold harmless Troy, its employees, officers, and agents, and affiliated entities from any losses, damages, judgments, claims, expenses, costs, and liabilities, including attorney fees and legal expenses, which may arise from, be caused directly by or in any way relate to the service provided by, or any act or omission of Medi-Go or its officers, directors, employees, agents or volunteers.
5. To furnish information requested by Troy indicating the use of the service by the senior citizens and handicapped residents of Troy.
6. Prior to execution of this Agreement by Troy, Medi-Go shall furnish a copy of a certificate of insurance indicating coverage for general liability, automobile liability and workers' compensation liability. Medi-Go shall maintain insurance as set out in this paragraph during the term of this Agreement.
7. Medi-Go shall not assign this Agreement to any other individual or entity without Troy's prior approval.

TROY'S RESPONSIBILITIES:

1. Provide general fund payment of \$180,000.00 or entire municipal and community credits transferred from SMART (whichever is more) to be paid on or after July 1, 2008. (Intent is for Medi-Go to receive not less than \$180,000 total funding.)
2. Recognize Medi-Go's autonomy in determining its own personnel and operating policies.
3. Assist, if possible, in disseminating information about the service to senior citizens and handicapped residents of Troy.
4. Make available at the Troy Community Center information regarding the Medi-Go service.

AGREEMENT PERIOD:

This agreement is in full force and effect from July 1, 2008, through June 30, 2009.

CONTRACT APPROVAL:

CITY OF TROY

By: _____ By: _____
Louise Schilling, Mayor Tonni Bartholomew, City Clerk

Date: _____ Date: _____

TROY MEDI-GO

By: Sheila McKenzie By: Dan P. Mayville
Sheila McKenzie, President Dan Mayville, Treasurer

Date: 5-9-08 Date: 5-8-08



Human Resources Department

Date: May 23, 2008

To: Phil L. Nelson, City Manager

From: Peggy E. Sears, Human Resources Director

Subject: Request for Information from Councilwoman Kerwin

You have asked me to respond to Councilwoman Kerwin's request for information on the long-term implications should non-represented employees choose to unionize. I will attempt to address this issue from four aspects: financial, legal, operational flexibility and employee-employer relations, all of which are critical and very realistic considerations.

By way of background, it is worth repeating that the two employee groups that are not represented by a union have historically led the way with benefit reductions that have resulted in significant savings to the City, contrary to statements previously made in the recent public hearing on the 2008 budget. Some of these benefit reductions include: (1) elimination of longevity payments (first implemented in 1993 for Classified and Exempt employees, but it wasn't until 2001 that this was finally negotiated with all union groups, and that was achieved only through the interest-based approach to negotiations. We had tried to gain that concession in the previous 4 contracts but were unsuccessful in the Act 312 arbitration process); (2) elimination of long-term disability payments after 5 years; (3) increased co-pay for prescription drugs; (4) reduction/elimination of the cash payment in lieu of subscribing to health insurance; (5) increased cost sharing of health insurance premiums; (6) implementation of a retiree health savings plan to replace retiree health insurance; (7) reduction in the Employer contribution toward defined contribution pensions. These benefit reductions provided a basis for us to effectively argue for similar concessions with the unionized employees.

Wage increases, however, have been led by settlements arrived at in union contract negotiations. Still, across-the-board increases have been less for non-union employees, and, Classified and Exempt employees do not enjoy the same automatic step increases that are in place for union employees (which are based purely on time in service). The non-represented employees must demonstrate by their level of performance that they have earned a merit increase (a philosophy which I wholeheartedly support and believe is best for the organization).

The combined across-the-board and merit increase is at or below the union increase percentages.

As indicated previously, to the extent that employees feel they are being taken advantage of, they will seek other means of obtaining what they want and feel they deserve by seeking union representation. We witnessed this scenario with our Police Captains who joined the command officer union in 1989 in order to get the benefits they felt they deserved, and with our Fire Staff Officers who unionized in 1995 in order to obtain salary and benefit considerations that the City was otherwise unwilling to grant. There has already been considerable discussion within the last two days by employees who are contemplating joining a union. With that understanding, it is important that the Troy City Council be aware of, and prepared for, the potential long-term effects of this shift.

FINANCIAL CONSIDERATIONS

The financial impact could be far reaching and very long term, and nearly impossible to reverse. Time and manpower investment in negotiating a first contract is significant. The TFSSOA contract took two years to complete. This entailed paying the salaries of five employees (more often 8-10 employees for the more complex union groups) who are meeting every 5-7 days for 4-6 hours each day over a two year period; outside labor counsel costs of 40K-50K; retroactive salary increases and overtime payments, and recalculation of the base wage for purposes of computing overtime pursuant to the Fair Labor Standards Act.

Internal financial issues can easily be taken into consideration when determining non-union employee raises. However, the negotiation process relies heavily on external comparables who may or may not be in the same economic situation as Troy. For example, one of our primary comparables recently settled two 5-year contracts, both of which provided a 3% wage increase for each of the 5 years. This kind of settlement weighs heavily in the mind of an arbitrator. I know from experience that the fact that Troy is using the fund balance to balance the budget won't be given serious consideration by an arbitrator if s/he sees there is an opportunity to raise revenue by increasing taxes. This is not a popular option, I realize, but the reality of how an arbitrator exercises his authority won't go away simply because it is unpopular.

LEGAL CONSIDERATIONS

We have three union groups who are eligible to proceed to Act 312 arbitration if unsuccessful in negotiations and mediation: the Troy Command Officers Assoc., the Troy Police Officers Assoc., and the Troy Fire Staff Officers Assoc. Other employees in the Police Department are potentially eligible for Act 312 representation, and may or may not be eligible to join an existing union; that is a decision that would be settled by the Michigan Employment Relations Commission.

In the Act 312 process every aspect of wages, fringe benefits and working conditions may be brought forth, and unfortunately it often becomes a game of 'who's got the most issues' (the theory being if you start with more you end up with more). And whereas in the last 7 years (since using interest-based bargaining) we have easily arrived at an agreement on four

comparable communities for the purposes of determining external equity, the Act 312 process historically involves the use of many more comparables once each side has argued their rationale (based on SEV, population, square miles, density, or other criteria they believe is to their advantage to use).

Unions subject to Act 312 must first negotiate to impasse, then request mediation, then be certified by a mediator that they are at impasse. Only then can the arbitration process actually begin. Both sides argue in front of an arbitrator in a quasi-judicial setting in which transcriptions are made and each party is represented by legal counsel. The arbitrator writes the 'award' (i.e. settles each issue) and his determination is final and binding on both parties. One of the risks in entering the Act 312 process is that the arbitrators often are not educated in municipal finance or pension administration. Consequently, you do the best you can in developing your exhibits and arguing your case and hope for a reasonable, rational outcome that you can afford. And again, the process can be lengthy and time-consuming; it can take up to 6 months for an arbitrator to be named, and a year or two for the process to be completed.

The Michigan Municipal League continues to lobby on behalf of municipalities to change the way in which the Act 312 process operates, but it is difficult at best to make progress.

ORGANIZATIONAL CONSIDERATIONS

Our employees have demonstrated time and again their level of commitment, pride and integrity in the jobs they perform. They have proven their willingness to discuss problems and reach solutions that are beneficial for both sides.

This flexibility is significantly reduced under a union contract because the relationship is now governed by collective bargaining laws. Areas in which this flexibility suffers may include changing work schedules, types of assignments made, work sharing, the disciplinary process, promoting employees and even in rewarding employees. Contract language can dictate how these decisions are made, and management cannot unilaterally make changes.

These issues have the potential for presenting serious roadblocks to the *Budgeting for Outcomes* endeavor we are undertaking. The ability to streamline government services and realize economic efficiencies will be severely restricted.

EMPLOYEE/EMPLOYER RELATIONS

Finally, the impacts on the organization as it currently exists, both in terms of the relationship between employees and the City, and the services we are able to offer the citizens of Troy needs to be recognized. Until now we have enjoyed a relationship wherein the union employees have accepted necessary concessions and the City in turn has granted competitive salary increases without the necessity of collective bargaining. This process was successful because of the trust-building that has evolved over time. Likewise, the employment relationship with non-union employees is one in which we are mutually interested in the concerns of the other and in working together to reach a solution.

Unions originate because trust and/or credibility have been destroyed, or because the employees feel undervalued. The problem-solving approach goes away and morale suffers. These can all be overcome, but it takes time to re-build that trust, presuming the desire is there.

This report extends to areas beyond which Councilwoman Kerwin requested. The long range implications have the potential to affect areas which do not necessarily fall under the category of finances or flexibility, but because they are interrelated I think they more fully address Councilwoman Kerwin's concern.

Please advise if I can provide additional information or clarification.

A Regular Meeting of the Troy Personnel Board was held Thursday, April 3, 2008, at City Hall, 500 W. Big Beaver Road. Deputy Clerk Pallotta called the meeting to order at 8:00 AM.

ROLL CALL:

PRESENT: Member Deborah L. Baughman
Member Laurie G. Huber
Member Albert T. Nelson, Jr.

ABSENT: Member Jayshree Shah

ALSO PRESENT: John M. Lamerato, Assistant City Manager, Finance & Administration
Peggy E. Sears, Human Resources Director
Barbara A. Pallotta, Deputy City Clerk

Vote on Resolution to Amend Agenda

Resolution PB-#2008-04-001
Moved by Nelson
Seconded by Baughman

RESOLVED, That the Troy Personnel Board hereby **AMENDS** the agenda, Item 6. *New Business: B. Approval of Revisions to Personnel Rules* to include proposed revisions as laid on the table.

Yes: All-3
No: None
Absent: Shah

Appointment of Personnel Board Chairperson:

Resolution PB-#2008-04-002
Moved by Baughman
Seconded by Huber

RESOLVED, That the Troy Personnel Board hereby **APPOINTS** Member Albert T. Nelson, Jr. to serve as interim Chairperson until a full board is present.

Yes: All-3
No: None
Absent: Shah

Approval of Minutes of May 29, 2007:

Resolution PB-#2008-04-003

Moved by Nelson

Seconded by Baughman

RESOLVED, That the Personnel Board hereby **APPROVES** the minutes of Tuesday, May 29, 2007 as amended to include the “Absent: Shah” vote for resolution A. *Recommendations for Classification and Pay Plan*; Resolution #2007-05-003.

Yes: All-3

No: None

Absent: Shah

Old Business: None

New Business:

New Business:

A. Recommended Revisions to Benefit Provisions:

a. Elimination of Blue Cross Traditional Plan

Human Resources Director Sears, advised that this item is before the Personnel Board at this time due to the high costs involved with this plan. She continued by stating that by taking action today, that this revision will be completed prior to *Open Enrollment* scheduled for May, 2008.

Human Resources Director Sears explained that the purpose of the proposed revisions made to the first paragraph is to delete obsolete acronyms and replace them with the title of the suffix group. She added that this section is also another example of the tiered plan and that by making these modifications, they will be more accurate.

PB-2008-04-004

Moved by Baughman

Seconded by Huber

RESOLVED, That the Personnel Board hereby **APPROVES** the proposed recommendations in the Personnel Rules, Section XXVI. Hospitalization and Medical Insurance, as submitted.

Yes: All-3

No: None

Absent: Shah

b. Elimination of Payment to Employees for Selecting Coverage That is Less Expensive Than Blue Cross Traditional

PB-2008-04-005

Moved by Huber

Seconded by Baughman

RESOLVED, That the Personnel Board hereby **APPROVES** the proposed recommendations in the Personnel Rules, Section XXVI. Hospitalization and Medical Insurance, as submitted.

Yes: All-3

No: None

Absent: Shah

B. Approval of Revisions to Personnel Rules

PB-2008-04-006

Moved by Baughman

Seconded by Huber

RESOLVED, That the Personnel Board hereby **APPROVES** the proposed language revision recommendations in the Personnel Rules as submitted and as laid on the table.

Yes: All-3

No: None

Absent: Shah

Adjournment:

Resolution PB-2008-04-007

Moved by Baughman

Seconded by Nelson

RESOLVED, That there being nothing else to come before the Board, the meeting be **ADJOURNED**.

Yes: All-3

No: None

Absent: Shah

The meeting **ADJOURNED** at 8:14 AM.

Albert T. Nelson, Jr., Chairman

Barbara A. Pallotta, Deputy City Clerk

The Special/Study Meeting of the Troy City Planning Commission was called to order by Chair Schultz at 7:30 p.m. on April 22, 2008 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Present:

Michael W. Hutson
 Mark Maxwell
 Philip Sanzica
 Robert M. Schultz
 Thomas Strat
 John J. Tagle
 Lon M. Ullmann
 Mark J. Vleck

Absent:

Wayne Wright

Also Present:

Mark F. Miller, Planning Director
 R. Brent Savidant, Principal Planner
 Christopher Forsyth, Assistant City Attorney
 Zak Branigan, Carlisle/Wortman Associates, Inc.

Resolution # PC-2008-04-050

Moved by: Strat
 Seconded by: Tagle

RESOLVED, That Member Wright is excused from attendance at this meeting for personal reasons.

Yes: All present (8)
 Absent: Wright

MOTION CARRIED

2. APPROVAL OF AGENDA

Resolution # PC-2008-04-051

Moved by: Tagle
 Seconded by: Strat

RESOLVED, To approve the Agenda as printed.

Yes: All present (8)
 Absent: Wright

MOTION CARRIED

3. MINUTES

Resolution # PC-2008-04-052

Moved by: Tagle
Seconded by: Hutson

RESOLVED, To approve the minutes of the April 8, 2008 Regular meeting as printed.

Yes: All present (8)
Absent: Wright

MOTION CARRIED

4. PUBLIC COMMENT – For Items Not on the Agenda

There was no one present who wished to speak.

5. BOARD OF ZONING APPEALS (BZA) REPORT

The Board of Zoning Appeals (BZA) report was not presented this evening because of the absence of Mr. Wright, the BZA representative.

6. DOWNTOWN DEVELOPMENT AUTHORITY (DDA) REPORT

Mr. Miller gave a brief DDA report.

7. PLANNING AND ZONING REPORT

Mr. Miller gave a brief Planning and Zoning report.

STUDY ITEMS

8. POTENTIAL REZONING OR PLANNED UNIT DEVELOPMENT APPLICATION – Northwest corner of 14 Mile Road and Executive Drive (1027 E. 14 Mile Road), Section 36 – M-1 (Light Industrial) to B-2 (Community Business)

Mr. Savidant introduced the potential PUD project.

Joseph Philips, AIA, of 921 Wing Street, Plymouth, project architect, was present to represent the applicant. Mr. Philips summarized the potential mixed-use project that proposes a mix of office and retail facing 14 Mile Road and light industrial in the back of the building.

Development team members also present were Lowell Rodd and Wisam Putrus of West Bloomfield and Khoshuba Youman of Sterling Heights.

There was general discussion of the potential project.

The Planning Commission discussed the challenges of reusing vacant, light industrial properties, and expressed general support of the proposed PUD concept at this site.

9. BIG BEAVER DEVELOPMENT CODE UPDATE

Mr. Miller summarized the Big Beaver Development Code Update.

There was no discussion.

10. BIG BEAVER ROAD DEVELOPMENT GUIDELINES AND DESIGN STANDARDS

Mr. Miller summarized the Big Beaver Road Development Guidelines and Design Standards. On April 16, 2008, the Downtown Development Authority (DDA) approved the proposal to complete these documents.

Zak Branigan of Carlisle/Wortman Associates (CWA) summarized the project. He explained that the Big Beaver Development Code project has reached a plateau and it has become necessary to add details (such as setbacks, dimensions, etc.) to the Code. This project will determine the details and will supplement the Code.

Mr. Branigan outlined the proposal with the Planning Commission. This meeting was considered the proposal's "Project Initiation".

General discussion followed.

The Big Beaver Road Development Guidelines and Design Standards may serve as a prototype for other areas of the City including Rochester Road, Maple Road and Stephenson Highway.

11. ZONING ORDINANCE TEXT AMENDMENT (ZOTA 215-B) – Article 04.20.00 and Article 40.66.00, Commercial Vehicle Definitions and Outdoor Parking of Commercial Vehicles in Residential Districts

Mr. Savidant introduced the proposed text amendment (ZOTA 215-B) relating to commercial vehicle definitions and outdoor parking of commercial vehicles in residential districts.

There was general discussion of the item.

Mr. Maxwell suggested to keep the language as written, however, to eliminate the provisions relating to recreational vehicles. Additionally, he suggested that the standards considered by the BZA for approval should require the applicant to meet all three standards, not just two of the three.

Mr. Ullmann and Mr. Vleck agreed to a type of classification system, separating light, medium and heavy vehicles.

Resolution # PC-2008-04-053

Moved by: Hutson
Seconded by: Vleck

RESOLVED, To postpone the addressing of this item until such time that the entire Zoning Ordinance is updated.

Yes: Hutson, Sanzica, Schultz, Ullmann, Vleck
No: Maxwell, Strat, Tagle
Absent: Wright

MOTION CARRIED

Mr. Strat stated that regardless of any recommendation of the Planning Commission, City Council has the responsibility of approving the amendment. He would like to see the Planning Commission provide a recommendation to the City Council so they can move forward on the item.

Mr. Tagle stated that the item is a very current issue, and he feels the members would be at square one again by postponing the item. Mr. Tagle would like to get the item done and move on.

Mr. Maxwell stated that ignoring the issue does not make it go away. He said commercial vehicles will not go away until the Planning Commission moves forward on the item.

Resolution # PC-2008-04-054

Moved by: Schultz
Seconded by: Ullmann

RESOLVED, To reconsider the previous resolution to postpone ZOTA 215 B.

Yes: All present (8)
Absent: Wright

MOTION CARRIED

The Planning Commission generally agreed to consider ZOTA 215-B at a future meeting.

OTHER ITEMS

12. **PUBLIC COMMENTS** – Items on Current Agenda

Art Moross of 3221 Helena, Troy, addressed the City of Troy Master Plan.

13. **PLANNING COMMISSION COMMENTS**

Mr. Vleck addressed the lighted signs at the AT&T building at Caswell Town Center PUD.

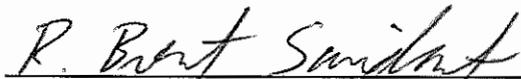
Mr. Schultz addressed three site features at Caswell Town Center PUD: the lighted sign, the curb cut on Hartwig and the speakers within the development.

ADJOURN

The Special/Study Meeting of the Planning Commission adjourned at 10:00 p.m.

Respectfully submitted,


Robert M. Schultz, Chair


R. Brent Savidant, Principal Planner

The Chairman, Ted Dziurman, called the meeting of the Building Code Board of Appeals to order at 8:30 A.M., on Wednesday, May 7, 2008, in the Lower Level Conference Room of the Troy City Hall.

PRESENT: Ted Dziurman
Keith Lenderman
Tom Rosewarne
Frank Zuazo

ABSENT: Rick Kessler

ALSO PRESENT: Mark Stimac, Director of Building & Zoning
Pam Pasternak, Recording Secretary

ITEM #1 – APPROVAL OF MINUTES – MEETING OF APRIL 2, 2008

Motion by Zuazo
Supported by Lenderman

MOVED, to approve the minutes of the meeting of April 2, 2008 as written.

Yeas: 4 – Dziurman, Lenderman, Rosewarne, Zuazo
Absent: 1 – Kessler

MOTION TO APPROVE MINUTES AS WRITTEN CARRIED

ITEM #2 – VARIANCE REQUEST. JOHNSON SIGN COMPANY, REPRESENTING BECKER VENTURES, 350 STEPHENSON HIGHWAY, for relief of Chapter 85 to install three (3) wall signs each 113 square feet on an existing building.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 85 to install three (3) wall signs each 113 square feet in area on an existing building. Chapter 85.02.05 (c) (3) allows one wall sign up to 200 square feet in area for each building in the R-C (Research Center) Zoning District.

Mr. Roy Elvey and Mr. Don Voyles of Kostal America and Mr. Jay Johnson of Johnson Sign Company were present. Mr. Elvey stated that that they need this signage to differentiate this building from the other two (2) buildings on this property.

Mr. Johnson stated that this particular location is allowed three (3) signs, a ground sign, a pole sign and a wall sign that would total 436 square feet. The Condo association will not allow them to have a ground or pole sign. Basically, they are asking that the square footage that is allowed be re-allocated to the wall signs rather than the ground or pole sign. This building has a large setback and this will help people identify this building.

ITEM #2 – con't.

Mr. Dziurman asked why the petitioner did not wish to put a sign on the north elevation of this building and believes that the sign on the south side of the building is more for identification than directional.

Mr. Johnson said that these wall signs would allow for the most visibility as this is where the majority of the traffic is. Mr. Johnson also stated that they did not want to ask for too many signs.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are no written approvals or objections on file.

Mr. Dziurman asked about signage on the other buildings on this site.

Mr. Stimac explained that there are three buildings on this site, 150, 250 and 350 Stephenson. 250 Stephenson is vacant at this time and there is 200 square foot sign on the building. 150 Stephenson was granted a variance in 2007 for four (4) wall signs totaling 396 square feet in area.

Mr. Zuazo asked about a pole sign.

Mr. Johnson stated that there is not a pole sign on the site and if the Board wished to put a condition on the variance prohibiting a pole sign that would be fine with the petitioner. Mr. Johnson stated that they are asking for three (3) signs totaling 339 square feet.

Mr. Zuazo asked how large each sign would be.

Mr. Johnson said that the signs would be 113 square feet each and does not feel that they will be over whelming. Mr. Johnson stated that they would like each of the signs to be illuminated, but presently plan to have only one of the signs illuminated. They are trying to keep this request within the realm of the Ordinance.

Motion by Rosewarne
Supported by Zuazo

MOVED, to grant Johnson Sign Company relief of the Chapter 85 to install three (3) wall signs each 113 square feet in area, where Chapter 85.02.05 (c) (3) allows one wall sign up to 200 square feet in area for each building in the R-C (Research Center) Zoning District.

- Petitioner will not construct a pole or ground sign.
- Variance will not be contrary to public interest.

ITEM #2 – con't.

Yeas: 4 – Lenderman, Rosewarne, Zuazo, Dziurman
Absent: 1 – Kessler

MOTION TO GRANT VARIANCE CARRIED

ITEM #3 – VARIANCE REQUEST. JOHNSON SIGN COMPANY, REPRESENTING BEHR AMERICA, 2700 – 2852 DALEY, for relief of Chapter 85 to erect a third ground sign.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 85 to erect a third ground sign. Chapter 85.02.05 (C) of the Sign Ordinance allows the development one ground sign up to 100 square feet in area and a second ground sign up to 36 square feet in area. The development currently has two 24 square foot ground signs. The plans submitted show a third ground sign 180 square feet in area.

Mr. Phil Tocco, Mr. Olaf Maly and Mr. Brian Kissick of Behr America were present and Mr. Jay Johnson of Johnson Sign Company was present. Mr. Tocco said that the area in question is the north phase of the parking lot. Originally they had gone to the Planning Commission and proposed putting in a masonry wall rather than a berm. This plan was accepted by the Planning Commission. They plan to make a cut out in the masonry wall and the sign would protrude about 12” out from the front of the wall. They cannot put the sign on the other end of the wall as there is a large spruce tree that will limit visibility. The wall is 4’ high and the sign is slightly higher than that. The Behr identification will be a small part of the ground sign. Mr. Tocco went on to say that there is a sign facing I-75. The neighbor to the east does not have an issue with this sign. The west neighbor was concerned that it may affect visibility, but he does not believe it will.

The Chairman opened the Public Hearing.

Mr. Ken Demark, 2873 Daley Drive was present. Mr. Demark asked if the Fire Department was concerned that there was a fire hydrant located behind the wall in the northeast corner.

Mr. Tocco said that the fire hydrant is located south of the edge of the wall.

Mr. Demark went on to say that he believes the petitioner should follow the rules of the Sign Ordinance as a proliferation of signs distract motorists and can bring down property values. Mr. Demark also said that the illumination from the sign should be taken into consideration as it may affect the neighbors living across the street from this location. Mr. Demark asked if these homeowners had been notified of this request.

Mr. Stimac explained that Public Hearing notices are sent to all property owners within 300’ of the subject property.

ITEM #3 – con't.

Mr. Johnson said that only the letters on the sign will be illuminated. The entire area will not be illuminated.

Mr. Maly stated that Behr America is very environmentally friendly and these letters will only be illuminated at night through the use of solar panels.

Mr. Johnson said that they plan to use 12 volt low lighting. Mr. Johnson went on to say that the other two signs on this campus are directional signs. This is the only sign that is visible from Big Beaver.

Mr. Dziurman asked what Mr. Demark's main objection was.

Mr. Demark stated that the sign will be placed in an area where there is no access to the site. This will cause confusion and he believes that people will use the neighbor's entrance in error. There is no way to enter this site from Big Beaver and Mr. Demark believes that if the petitioner wishes to put the sign in this location they should also consider putting in a driveway from Big Beaver. Mr. Demark went on to say that there are huge traffic jams on Daley Drive as people are entering and exiting this site. If they were to give up two parking spaces they could put in an entrance on Big Beaver and it would alleviate the traffic jam along Daley. Mr. Demark also said that he believes there was a good reason that the Ordinance limits the number of signs.

Mr. Dziurman expressed concern that if another drive was put in, the two drives would be too close together and asked if this was something that the petitioner could bring to the City.

Mr. Stimac said that if a driveway were proposed, the City would review the plans to add another driveway along Big Beaver.

Mr. Tocco said that in his opinion a second driveway would add more confusion. Mr. Tocco also informed the Board that they had contacted the Oakland County Road Commission and asked them to put out a traffic counter on Daley Drive. The Oakland County Road Commission came back and stated that there was not enough traffic on Daley to justify putting in a traffic light. If another drive was put in along Big Beaver it would basically be an emergency entrance and would create more traffic problems as the drives would be too close together.

Mr. Lenderman had a question about the dashed line on the drawing that the petitioner had submitted.

Mr. Stimac thought that it depicted the property line.

Mr. Demark said that there was metal fence along the east side of the parking lot and the west side is open.

ITEM #3 – con't.

Mr. Maly explained that there is 60' fence that abuts to a 40' wall.

Mr. Dziurman asked if the Planning Commission had approved the site plan for the property.

Mr. Stimac said that property that fronts on Big Beaver has to have a 50' setback free of parking. Last year the petitioner applied to the Board of Zoning Appeals to reduce that setback from 50' to 31'. As part of the approval for reduced setback, there was a condition placed that the 4' high wall would be added to screen that parking. The petitioners are now before this Board for a variance to place on sign on that wall.

Mr. Dziurman stated that in his opinion the two (2) smaller signs are directional signs.

Mr. Lenderman said that he would like an opportunity to go out and take a look at the location of the fire hydrant.

Mr. Maly said that the fire hydrant was not required by the City. The City wanted the water line cut in the middle of Big Beaver and Behr proposed to have a fire hydrant put in instead. This was a cost saving device for Behr.

Mr. Lenderman said that he would still like to go out and take a look at the placement of the hydrant.

Mr. Zuazo asked if this was a functional fire hydrant.

Mr. Lenderman stated that the hydrants have to be inspected and this one would need to be functional. Mr. Lenderman also asked if the hydrant was visible to traffic heading eastbound.

Mr. Tocco asked if they could cut the water main coming across Big Beaver as this is what the City originally wanted them to do, and then they would remove the fire hydrant.

Mr. Dziurman informed the petitioner that all Mr. Lenderman wanted to do was postpone the request for thirty days so he could go out and take a look at the placement of this hydrant.

Mr. Tocco asked what the fire hydrant had to do with the sign.

Mr. Lenderman said that he was concerned that the hydrant was located behind the wall.

Mr. Johnson stated that the wall has already been approved.

ITEM #3 – con't.

Mr. Dziurman said that Mr. Lenderman is concerned about the visibility of the fire hydrant.

Mr. Zuazo said that the existing sign on Daley is a directional sign and asked if the only reason the petitioner was asking for a wall sign was because of the large tree.

Mr. Tocco said that the sign on Big Beaver and Daley is a directional sign telling customers where to turn and be able to find Behr.

Mr. Zuazo asked why this sign could not be used as both a directional and identification sign.

Mr. Tocco said that it is very small. Mr. Tocco said that they could cut down the tree and put the sign on the other side of the wall, but they really would not want to do that. The wall is not even 100' long and if the sign is put at the other end of the wall it would not be visible because of this tree.

Mr. Maly said that a variance to relocate the parking to this area was granted because they did not have to destroy any trees.

Mr. Demark said that the sign is proposed to be on Big Beaver but there is no entrance from Big Beaver. Mr. Demark believes the sign should be on Daley. The real confusion is that the sign is on the west side of the property and there is not an entrance in this location.

Mr. Zuazo asked if Mr. Demark would be satisfied if they moved the sign somewhere else on the wall.

Mr. Demark again stated that he believes adding a second entrance on Big Beaver would reduce traffic as two entrances and exits would be provided. Mr. Demark also asked what would happen should the petitioner decide to put up a larger sign.

Mr. Tocco said that they were not aware that signs could be added or changed without another variance. They do not have a "store front" sign and Daley is the only entrance to the property.

Mr. Lenderman stated that the issue of the fire hydrant has nothing to do with the wall or the proposed sign. If there is a problem with the location of the fire hydrant they will get it moved.

Mr. Demark said that the Ordinance is against the size, the amount of signs and the placement of the sign. Mr. Demark does not believe that you should have a sign when there is no entrance to the site.

ITEM #4 – con't.

Mr. Johnson asked if the intent of the Ordinance was to only have a sign where there is an entrance.

Mr. Stimac stated that the Sign Ordinance establishes minimum setback requirements for signs but does not state that the sign has to be next to a drive.

No one else wished to be heard and the Public Hearing was closed.

There is one written objection on file. There are no written approvals on file.

Mr. Lenderman asked if they would be allowed to have a wall sign if the building was located on Big Beaver.

Mr. Stimac explained that if this was a free standing building on Big Beaver they would be allowed to have a wall sign up to 10% of the area of the front face of the building and a ground sign up to 100 square feet.

Motion by Lenderman
Supported by Zuazo

MOVED, to grant Johnson Sign Company, 2700 – 2852 Daley, relief of Chapter 85 to erect a third ground sign 180 square feet in area where Chapter 85.02.05 (c) of the Sign Ordinance allows this development one ground sign up to 100 square feet in area and a second ground sign up to 36 square feet in area.

- Variance is not contrary to public interest.
- Variance will not have an adverse effect to surrounding property.
- Variance applies only to the property described in this application.

Yeas: 4 – Rosewarne, Zuazo, Dziurman, Kessler
Absent: 1 – Kessler

MOTION TO GRANT VARIANCE CARRIED

Mr. Rosewarne said that in his opinion it would make more sense to put the sign in the middle of the wall.

ITEM #4 – VARIANCE REQUEST. ALEXANDER ELIZAROV, 3108 KILMER, for relief of Chapter 83 to install a 48” high fence along the front property line along Langston.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 83 to install a fence. The property is located at the southeast corner of Kilmer and Langston. This property is a double front corner lot. It has front yard setback requirements along both Kilmer and Langston. Chapter 83 limits the height of fences in front setbacks on this

ITEM #4 – con't.

property to 30” maximum. The site plan submitted indicates a 48” high non-obscuring fence along the front property line along Langston.

Mr. Elizarov was present and submitted pictures of his home as well as pictures of the fence he is proposing to put in. Mr. Elizarov stated that he has a three (3)-year old son and another baby on the way. Due to the fact he lives on a corner he is very concerned about the safety of his children and the traffic that flows through this area. Last year they had a dog that was killed by a car going too fast along Kilmer. Mr. Elizarov stated that he had spoken to his neighbors and they did not object to this request.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are two (2) written approvals on file. There are no written objections on file.

Mr. Dziurman asked where the property line was in relation to the sidewalk.

Mr. Stimac stated that the property line should be 1’ from the edge of the sidewalk.

Mr. Rosewarne said that he did not believe this fence would cause a problem with visibility to on-coming traffic.

Motion by Rosewarne
Supported by Zuazo

MOVED, to grant Alexander Elizarov, 3108 Kilmer relief of Chapter 83 to install a 48” high non-obscuring fence along the front line along Langston where Chapter 83 limits the height of fences in front setbacks on this property to 30” maximum.

- Variance is not contrary to public interest.
- Variance will help homeowner to provide safety for his children.
- Variance will not have an adverse effect to surrounding property.

Yeas: 4 – Zuazo, Dziurman, Lenderman, Rosewarne
Absent: 1 – Kessler

MOTION TO GRANT VARIANCE CARRIED

ITEM #5 – VARIANCE REQUEST. RENEE L. de SPELDER OF CB RICHARD ELLIS, 5555 NEW KING, for the relief of the Sign Ordinance to erect a second ground sign.

Mr. Stimac stated that since Item #5 and Item #6 were variances requested by the same petitioner he would like to present both cases at the same time, although a separate

ITEM #5 – con't.

vote would be needed for each property. Mr. Stimac also explained that the petitioner is the Marketing Agent for these buildings. The same size and type of sign is being requested for each building.

Mr. Stimac explained that the petitioner is requesting relief of Chapter 85 to erect a second ground sign at 5555 New King. Chapter 85.02.05 (C) (3) allows one ground sign at this location. A search of City records indicates that there is already one 50 square foot ground sign on this property. The site plan submitted indicates a second ground sign measuring 48 square feet in area.

Mr. Dziurman asked if the signs would be removed once all the spaces were rented out.

Ms. de Spelder stated that the smaller signs allowed by the Ordinance are not very visible. They have a significant investment in these buildings and these new signs would facilitate visibility. Ms. de Spelder also stated that they have plans to improve the property.

Mr. Dziurman asked if there was another ground sign on the property.

Mr. Stimac explained that the existing sign on Northfield Parkway is an identification sign.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are no written approvals or objections on file.

Mr. Lenderman asked what type of material the signs were made of.

Ms. de Spelder stated that it was constructed with a wood frame and vinyl overlay.

Mr. Bill Wylonis, 5750 New King stated that the signs are plywood with vinyl.

Mr. Zuazo asked if there were any proposed plans to put signs on the buildings.

Mr. Wylonis stated that they are proposing new monument signs that would identify the entire development as Baluster Park.

Mr. Zuazo asked if these proposed signs would meet all other requirements of the code and Mr. Wylonis stated that they would.

Mr. Zuazo asked if they planned to put permanent signs in this location.

ITEM #5 – con't.

Mr. Stimac confirmed with the petitioner that the signs proposed are typically temporary in nature, and have to be replaced after a short time as part of maintenance. He stated that due to the fact that the signs were plywood and vinyl, they would not have great longevity. Based upon that information, Mr. Stimac stated that he believed that the Board could reasonably place a condition on the variance that would contain a time frame. Normally this Board does not have a time frame on a sign variance however, it may be appropriate to place a time limitation on these requests.

Mr. Dziurman stated that there was a similar situation on Maple and Stephenson and asked if a time restriction was placed on that variance.

Mr. Stimac said that he did not believe so.

Mr. Zuazo asked if the signs were going to be illuminated.

Ms. de Spelder stated that they would not be illuminated.

Motion by Zuazo

Supported by Lenderman

MOVED, to grant Renee de Spelder of CB Richard Ellis, 5555 New King, for relief of the Sign Ordinance to erect a second ground sign measuring 48 square feet in area where Chapter 85.02.05 (C) (3) allows one ground sign at this location.

- Sign must be removed within two (2) years.
- Appearance of sign must be maintained.
- Variance is not contrary to public interest.

Yeas: 4 – Dziurman, Lenderman, Rosewarne, Zuazo

Absent: 1 – Kessler

MOTION TO GRANT VARIANCE CARRIED

ITEM #6 – VARIANCE REQUEST. RENEE L. de SPELDER OF CB RICHARD ELLIS, 700 TOWER, for relief of Chapter 85, the Sign Ordinance to erect a third ground sign at 700 Tower.

Mr. Stimac explained that the petitioner is requesting relief of the Ordinance to erect a third ground sign at the above location. Chapter 85.02.05 (C) (3) allows two ground signs at this location. City records indicate that there are two existing 27 square foot ground signs on this property. The site plan submitted indicates a third ground sign measuring 48 square feet in area.

ITEM #6 – con't.

Motion by Zuazo

Supported by Lenderman

MOVED, to grant Renee de Spelder of CB Richard Ellis, 700 Tower, for relief of the Sign Ordinance to erect a second ground sign measuring 48 square feet in area where Chapter 85.02.05 (C) (3) allows one ground sign at this location.

- Sign must be removed within two (2) years.
- Appearance of sign must be maintained.
- Variance is not contrary to public interest.

Yeas: 4 – Dziurman, Lenderman, Rosewarne, Zuazo

Absent: 1 – Kessler

MOTION TO GRANT VARIANCE CARRIED

Mr. Wylonis stated that they had invested a large amount of money on these properties and the Board could rest assured that it will be kept in prime condition.

The Building Code Board of Appeals meeting adjourned at 9:45 A.M.

Ted Dziurman, Chairman

Pamela Pasternak, Recording Secretary

A regular meeting of the Liquor Advisory Committee was held on Monday, May 12, 2008 in the Council Board Room of Troy City Hall, 500 West Big Beaver Road. Committee member Henry W. Allemon called the meeting to order at 7:06 p.m.

ROLL CALL:

PRESENT: Henry W. Allemon
Patrick C. Hall
David S. Ogg
Timothy P. Payne
Bohdan L. Ukrainec
Clark Yuan, Student Representative
Susan Lancaster, Assistant City Attorney
Sergeant Robert Cantlon
Pat Gladysz

ABSENT: Max K. Ehlert, Chairman
W. Stan Godlewski

Resolution to Excuse Committee Members Ehlert and Godlewski

Resolution #LC2008-05-011
Moved by Hall
Seconded by Ukrainec

RESOLVED, that the absence of Committee members Ehlert and Godlewski at the Liquor Advisory Committee meeting of May 12, 2008 BE EXCUSED.

Yes: 5
No: 0
Absent: Ehlert, Godlewski

Resolution to Approve Minutes of March 10, 2008 Meeting

Resolution #LC2008-05-012
Moved by Hall
Seconded by Payne

RESOLVED, that the Minutes of the March 10, 2008 meeting of the Liquor Advisory Committee be approved.

Yes: 5
No: 0
Absent: Ehlert, Godlewski

Agenda Items

1. **C. J. Mahoney’s of Troy, LLC** requests to transfer ownership of 2007 Class C licensed business with dance permit and direct connection-1 located in escrow at 25231 Telegraph, Southfield, MI 48034, Oakland County, from B&P Saloons, Inc.; and transfer location (Governmental Unit) (MCL 436.1531(1)) to 2511 Livernois, Troy, MI 48084, Oakland County. {MLCC Req. #430976}

Present to answer questions from the Committee were Thomas Everson and Curtiss Pagels.

Mr. Pagels explained to the Committee that the former restaurant owners were only interested in selling their liquor license in combination with the business assets. Mr. Pagels and Mr. Everson were not interested in purchasing the business, so they negotiated a lease with the landlord and are here to transfer a liquor license from Southfield. These two representatives have been in the bar/restaurant business for many years.

The menu will be the same as the Rochester Hills location. They provide TIPS/TAMS training for all employees. This new location on Livernois has been completely remodeled with a possible June opening.

Sergeant Cantlon indicated that his investigation revealed no violations.

Resolution #LC2008-05-013

Moved by Ukraineec

Seconded by Ogg

RESOLVED, that C. J. Mahoney’s of Troy, LLC be allowed to transfer ownership of 2007 Class C licensed business with dance permit and direct connection-1 located in escrow at 25231 Telegraph, Southfield, MI 48034, Oakland County, from B&P Saloons, Inc.; and transfer location (Governmental Unit) (MCL 436.1531(1)) to 2511 Livernois, Troy, MI 48084, Oakland County.

Yes: 5
No: 0
Absent: Ehlert, Godlewski

There was a brief discussion on the informational items:

1. **Gallatin, Inc.** requesting a new additional bar (for a total of 4 bars) on 2007 Class C licensed business, with Official Permit (food), Dance Permit, Outdoor Service (2 areas) and 3 bars, located at 5725 Rochester, Troy Michigan, 48084, Oakland County. {MLCC req #470651}
This was previously approved by City Council amendment to the ordinance regarding alcohol sales on the golf course.

This item deals with the beer cart for Sylvan Glen Golf Course.

2. **Cucina Development, Inc.**, Bravo Development, Inc., (an Ohio Corporation) requesting to drop space and cancel additional bar permit, leaving a total of (1) bar, from 2007 Class C – SDM licensed business, with Direct Connection (1), Outdoor Service (1 area), Official Permit (food), and 2 bars, located at Somerset Collection South, 2801 W. Big Beaver, Suite E150, Troy Michigan, 48084, Oakland County. This is the closing of Bon Vie, and does not require local government approval.

Bon Vie did not hold a separate license. It is now closed.

Assistant City Attorney Lancaster explained to the Committee that City Council revoked the 1993 Resolution stating that there cannot be two facilities with Class C licenses and entertainment permits within 3000 feet of each other. The City Attorney's Office is in the process of drafting language for the City Ordinance. The Liquor Advisory Committee will be asked to review this document.

The meeting adjourned at 7:35 p.m.

Henry W. Allemon

Patricia A. Gladysz, Secretary II

TROY ETHNIC ISSUES ADVISORY BOARD
Minutes for Tuesday, May 13, 2008

I. Call to Order 7:15 pm

II. Roll Call

Present Kelly Jones
 Grigore Buia
 Cindy Stewart, City Liaison
 Karen Yelder
 Cathy Francois
 William Lawrence (7:40 pm)

Absent Michelle Haight
 Mayada Fakhouri
 Reuben Ellis
 Tony Haddad
 Lulu Guo
 Helen Yang

Guests Charlotte Sommers, Northminster Presbyterian Pastor
 Ruth Turner, Labyrinth Committee Chair

III. Approval of Minutes – April 1, 2008

Motion by Kelly Jones

Seconded by Grigore Buia

To approve the April 1, 2008 minutes. Minutes approved with addition of Cathy Francois added to members absent and correct spelling for Charlotte Sommers. Approved unanimously.

IV. New Business

a. Labyrinth Presentation – Charlene and Ruth Turner

The Community Interfaith Labyrinth represents a partnership of the many houses of worship in our community; borne from our common goal: to offer the Labyrinth to people as a source of spiritual renewal and hospitality.

A labyrinth is a walking pattern which is a continuous path with one way in and one way out. Allows one to walk and mediate with no distraction. Labyrinth can turn our drifting into purpose. The labyrinth can provide a bridge between people of all ages, all races, and different religious traditions.

Troy Interfaith Group has raised the money to begin the project. Kick off is June 1st at 3 pm.

Guests showed a brief video on labyrinths.

The labyrinth will be located at Northminster Presbyterian Church on Big Beaver Rd., east of Adams. A committee researched and visited labyrinths for over a year before starting the project.

Northminster sits very far away from the road. The church was designed by Yamasaki (the only church he designed). Building it in the front yard will offer security, hospitality and welcoming to everyone.

Cost is approx \$47,000 for labyrinth (45 feet width) all the landscaping trees and 800 feet path into the labyrinth. They wanted it to be very accessible. Cost does not include lighting, benches and signage.

They would like the EIAB to spread the word about the labyrinth and invite groups to come and use it.

b. Troy Daze EthniCity

Co-coordinators: Kelly and Michelle will contact groups to participate after letters have been mailed. Karen Yelder will help as a co-chair during the Troy Daze weekend.

EIA Board will need to be available to facilitate the EthniCity Tent. Mark your calendars for Sept. 13-14. We will have a volunteer schedule for members to sign up at the June meeting. We will also need volunteers for putting flags together on Friday Sept. 12 for a few hours in the afternoon.

Poster Contest – Michelle is the Chair. EIAB needs to come up with the theme so flyer can be put on the Troy Daze Web site. Send ideas to Kelly soon.

Booth Guidelines – It was decided to have a \$30/non-refundable booth fee which will include one table. Kelly will revise letter and application and send to Cindy to copy and mail out.

V. Old Business

a. Elementary Update – No Report

b. African American Parent Support Group – This was initiated by Troy teacher Nadeen Brown to address the achievement gap of African American students.

First meeting – 90 people in attendance, second meeting – 75 people
The group meets the second Monday each month at 7:30 pm in the Troy School District Services Building.

Kelly would like the EIAB to come up with resources related to diversity (ex. African American Parent Support Group, Videos, Web sites, diversity training, etc) to offer to PTOs.

c. Diversity Recognition Month

EIAB talked briefly about implementing a recognition program to recognize people who help bridge the racial and cultural divide.

d. 2008 Projects and Assignments – No Report

VI. Adjournment 8:35 pm

Motion by Cathy Francois, seconded by William Lawrence. Meeting adjourned.

Next Meeting Tuesday, June 3, 2008 at 7 pm

Kelly Jones, EIAB Vice Chair

Cindy Stewart, EIAB Recording Secretary

A Regular Meeting of the Troy Personnel Board was held Thursday, May 22, 2008, at City Hall, 500 W. Big Beaver Road. Deputy City Clerk Pallotta called the meeting to order at 7:50 AM.

ROLL CALL:

PRESENT: Member Laurie G. Huber
Member Albert T. Nelson, Jr.
Member Susan Werpetsinski

ABSENT: Member Deborah L. Baughman
Member Jayshree Shah

ALSO PRESENT: Phillip L. Nelson, City Manager
John M. Lamerato, Assistant City Manager, Finance & Administration
Brian P. Murphy, Assistant City Manager, Economic Dev. Services
Peggy E. Sears, Human Resources Director
Barbara A. Pallotta, Deputy City Clerk

Appointment of Personnel Board Chairperson:

Resolution PB-#2008-05-008
Moved by Huber
Seconded by Werpetsinski

RESOLVED, That the Troy Personnel Board hereby **APPOINTS** Member Albert T. Nelson, Jr. to serve as Chairperson.

Yes: All-3
No: None
Absent: Baughman, Shah

Approval of Minutes of April 3, 2008:

Resolution PB-#2008-05-009
Moved by Huber
Seconded by Werpetsinski

RESOLVED, That the Personnel Board hereby **APPROVES** the minutes of Thursday, April 3, 2007 as presented.

Yes: All-3
No: None
Absent: Baughman, Shah

Old Business: None

New Business:

Peggy Sears, Human Resources Director reported that due to action taken at Monday's City Council meeting, City Administration's proposed budget for merit pay for Classified Employees was reduced. She explained that although the *Classification Plan and Pay Plan for Classified Employees* is not changing, the proposed 2-½% merit increase was reduced by City Council to 1%.

Chair Nelson asked what is the purpose of the Personnel Board's action.

Ms. Sears replied that the Board is being asked to approve how City Administration will proceed with the distribution of the 1% increase. She explained that employees receiving a satisfactory rating will receive a full 1% and those receiving an unsatisfactory rating will receive 0%.

Chair Nelson asked whether or not there is something the Board should be aware of.

Ms. Sears responded that in light of the fact that the proposed method of distributing the 1% increase was also a staff suggestion made at one of two Town Hall type meetings held for staff yesterday, she anticipates that employees will be receptive.

Recommendations for Classification Plan and Pay Plan:

PB-2008-05-010

Moved by Huber

Seconded by Werpetsinski

RESOLVED, That the Personnel Board hereby **APPROVES** the proposed recommendations for the *Classification Plan and Pay Plan for Classified Employees (FY 2008-2009)* as submitted.

Yes: All-3

No: None

Absent: Baughman, Shah

Member Werpetsinski asked whether employees were disgruntled with Council's decision to reduce the merit increase percentage.

Ms. Sears indicated that staff was very upset with the reduction.

Adjournment:

Resolution PB-2008-05-011

Moved by Werpetsinski

Seconded by Huber

RESOLVED, That there being nothing else to come before the Board, the meeting be **ADJOURNED**.

Yes: All-3

No: None

Absent: Baughman, Shah

The meeting **ADJOURNED** at 8:06 AM.

Albert T. Nelson, Jr., Chairman

Barbara A. Pallotta, Deputy City Clerk

**SUMMARY FROM
NLC FAIR COMMITTEE MEETING**

To: Mayor and City Council
cc: Phil Nelson, City Manager and Lori Grigg Bluhm, City Attorney

From: Robin Beltramini, Councilmember

Meeting: Finance, Administration and Intergovernmental Relations Steering Committee
Dates: May 8-10, 2008, report date May 20, 2008
Location: Brevard, North Carolina

First, let me thank you all for your support of this journey. Vacant properties, transportation funding, bond ratings are all items that impact Troy today. The committee crafted some strategies, made some recommendations and called for further study in some areas. I share this summary for your information and will be happy to answer any questions this may generate.

Speakers: John Kromer, Senior Consultant, Fels Institute of Government, University of Pennsylvania
 Paul Posner, Director, Masters of Public Policy Program, George Mason University
 Susan Gaffney, Director, Federal Liaison Center, Government Finance Officers Association

Overview / Goal of Meeting:

Research and discuss priority policy topics and provide direction to staff on policy considerations for the fall meeting.

Key Outcomes:

- ***Fiscal Ramifications of Vacant Properties***

The committee heard from John Kromer, Senior Consultant at the Fels Institute of Government at the University of Pennsylvania regarding the decrease in revenues due to vacant properties and how this affects city budgets. The increase of vacant properties is fast becoming an issue for all cities now. Foreclosure proceedings are up 53% from 2006 and will continue to rise (Federal Reserve Chair Ben Bernanke, May 5, 2008). The fiscal impacts of vacant properties are declining property values, revenue shortfall from decrease in property taxes (reduced tax revenues and decreased tax rate), and costs to maintain vacant properties. Housing counseling is critical at this time. Homeowners need to know what other options exist for them, other than sale and foreclosure because as soon as properties are in foreclosure and then vacant, it creates financial distress for cities. Philadelphia created a local program called Residential Mortgage Foreclosure Diversion Pilot Program which would allow occupied properties in the foreclosure start process to be diverted from public auctions and provide owners with housing counselors to discuss options that would not result in sale of their homes. Housing counseling should focus on relationship building to share information, sharing the pros and cons of various financing programs and sharing money management (savings and spending) techniques. Counseling groups are key to helping with the problem and preventing future problems. The committee decided that

additional discussion on this issue should focus on gaps in services/controls over the banking industry. Another discussion for the committee to have is how can cities respond to market failure in the housing industry – i.e., what happens when houses don't sell and what can cities do to respond to this?

- ***Governments Working Together***

The committee discussed the need for another intergovernmental body to review the effects of federal policy issues on state and local governments. For lobbying purposes or to discuss local issues, most members felt that coalitions like the Big 7 or their own congressional visits addressed immediate, more relevant concerns. However, there are larger issues that a standing intergovernmental body could be responsible for looking into such as how the federal deficit relates to the various levels of governments and the ambiguity of unfunded mandates.

- ***Unfunded Mandates***

The committee heard from Paul Posner, Director of the Masters of Public Policy Program at George Mason University on unfunded mandates, specifically how the federal definition of unfunded mandates doesn't capture a host of rules and regulations that continue to place a fiscal burden on cities. The committee requested that staff report back on letters sent by NLC to Congress regarding legislation with unfunded mandate components and what the status of that legislation is. The committee also asked staff to recommend potential policy amendments on unfunded mandates such as broadening the definition of mandates.

- ***Surface Transportation Funding Authorization***

The Transportation Infrastructure and Services (TIS) steering committee is taking the lead on the upcoming surface transportation reauthorization bill via a resolution outlining the need for innovative thinking this next time around. To ensure this resolution is well-rounded in its conceptualization, the FAIR committee was asked to comment on it. Recommendations will be referred to the TIS committee at its meeting at the end of May.

- ***Municipal Bond Rating Platform***

The state treasurer of California has urged the three rating agencies (Moody's, Standard and Poor, and Fitch) to reexamine their rating practices as they currently place higher levels of standards on municipal bonds than corporate bonds. The committee discussed the need for NLC to weigh in on this debate and recommended that the Board consider action at its summer meeting.

- ***Other Business***

- During the committee's discussion of vacant properties, they decided to refer the issue of oversight or regulation of mortgage companies to the CED steering committee.
- The committee was interested in knowing what the other steering committees are working on and requested that staff provide updates to them and also share the work of the FAIR committee.

##

REB



CITY COUNCIL REPORT

May 21, 2008

TO: Phillip L. Nelson, City Manager

FROM: Charles T. Craft, Chief of Police
Wendell Moore, Research & Technology Administrator

SUBJECT: 2008 Year-To-Date Calls for Police Service Report

Background:

- Each quarter the police department publishes a year-to-date report comparing the previous year's calls for police service, criminal offenses, clearance rates, traffic crashes and citations issued, with the same time period of the current year.
- Attached is a spreadsheet comparing the January 2008, through March of 2008, time period to the same time period of 2007.
- The report's format complies with the National Incident Based Reporting System. All offenses within an incident are reported.
- Group A Crime increased 17.4% (125 incidents) from the 2007 level. Within the group, the following categories show significant variations:
 - Breaking and Entering: Up 44.1% (26 incidents)
 - Destruction/Damage to Property/Vandalism: Up 27.8% (15 incidents)
 - Motor Vehicle Theft: Up 60.0% (18 incidents)
 - Robbery: Up 250.0% (5 incidents)
 - Larceny/Theft Offenses: Up 21.4% (63 incidents)
 - Fraud Offenses: Up 36.6% (15 incidents)
 - Assault Offenses: Down 11.9% (17 incidents)
 - Drug Narcotics Offenses: Down 18.2% (10 incidents)
- Group B Crime decreased 21.1% (69 incidents). Significant variations from the 2007 levels occurred in the following:
 - Disorderly Conduct: Decreased 31.3% (10 incidents)
 - Liquor Law Violations: Decreased 46.2% (12 incidents)
- Total incidents of crime (Group A & B combined) increased by 5.4% (56 incidents).

- Clearance rates (the percentage of offenses for which a perpetrator has been prosecuted, or positively identified but not prosecuted) for Group A Crime decreased from 36.1% in 2007 to 29.2%, and for Group B Crime decreased from 84.9% to 82.6%. In total, during the first quarter of 2008 43.4% of all reported crime was cleared, as opposed to 52.8% for the same time period in 2007. This decrease in clearance rates can be directly attributed to the increases in Motor Vehicle Theft and Breaking and Entering; both crimes are very difficult to solve.
- Arrests for Group A crime violations decreased by 5.5% (17 arrests), and decreased 21.7% (66 arrests) for Group B crime. Overall, arrests decreased 13.6% (83 arrests).
- Group C (non-criminal) calls for police service increased by 4.7% (375 incidents).
- Year to date reported traffic crashes and traffic citations issued totals are as follows:
 - Property Damage crashes increased 9.5% (63 crashes).
 - Injury crashes decreased 4.3% (6 crashes).
 - Two fatal crashes occurred in the first quarter of 2008 as compared to one in 2007.
 - Hazardous traffic citations issued are down 9.9% (277 citations).
 - Non-hazardous traffic citations issued are up 25.7% (18 citations)
 - License/title/registration citations decreased 31.8% (242 citations).
 - Parking citations decreased 44.9% (109 citations).
- Overall, crimes and non-criminal calls for police are up 4.7% (421 crimes/calls for service).
- The increase in serious crime (Motor Vehicle Theft, Breaking And Entering, and Robbery), although it does not necessarily signal an overall upward trend, is of concern. Quarterly and even annual increases and decreases in crimes/calls for service, as compared to previous year levels, are not uncommon. Given the more than ten-year trend of a general decline in reported crime this may simply be a brief spike in activity; however, it is being closely monitored and analyzed.
- Following City Council review, this information will be available on the department's website.

Financial Considerations:

- None

Legal Considerations:

- None

Policy Considerations:

- City of Troy Goal #1 - Enhance the livability and safety of the community.

Troy Police Department

1st Quarter 2008/2007 Comparison

Group A Crime Categories	INCIDENTS			OFFENSES			ARRESTS			CLEARANCES	
	1st Quarter		Percent Change	1st Quarter		Percent Change	1st Quarter		Percent Change	1st Quarter	
	2008	2007		2008	2007		2008	2007		2008	Percent
Arson	0	1	-	0	1	-	0	1	-	0	0.0%
Assault Offenses	126	143	-11.9%	132	144	-8.3%	26	57	-54.4%	25	18.9%
Bribery	0	0	NC	1	0	+	0	0	NC	1	100.0%
Breaking and Entering	85	59	44.1%	85	59	44.1%	7	14	-50.0%	3	3.5%
Counterfeiting/Forgery	11	4	175.0%	11	4	175.0%	3	0	+	0	0.0%
Destruction/Damage/Vandalism	69	54	27.8%	75	59	27.1%	3	0	+	6	8.0%
Drug/Narcotic Offenses	45	55	-18.2%	73	78	-6.4%	50	58	-13.8%	67	91.8%
Embezzlement	21	21	NC	22	22	NC	17	11	54.5%	6	27.3%
Extortion/Blackmail	0	1	-	1	1	NC	0	0	NC	1	100.0%
Fraud Offenses	56	41	36.6%	62	41	51.2%	13	5	160.0%	10	16.1%
Gambling Offenses	0	0	NC	0	0	NC	0	0	NC	0	0.0%
Homicide Offenses	1	0	+	2	0	+	2	0	+	2	100.0%
Kidnapping/Abduction	0	0	NC	0	0	NC	0	0	NC	0	0.0%
Larceny/Theft Offenses	358	295	21.4%	373	300	24.3%	161	151	6.6%	135	36.2%
Motor Vehicle Theft	48	30	60.0%	48	32	50.0%	0	2	-	0	0.0%
Pornography/Obscene Material	0	0	NC	0	0	NC	0	0	NC	0	0.0%
Prostitution Offenses	1	0	+	1	0	+	1	0	+	1	100.0%
Robbery	7	2	250.0%	7	2	250.0%	2	1	100.0%	1	14.3%
Sex Offenses, Forcible	9	6	50.0%	9	6	50.0%	2	2	NC	1	11.1%
Sex Offenses, Nonforcible	0	0	NC	0	0	NC	0	0	NC	0	0.0%
Stolen Property Offenses	3	1	200.0%	4	3	33.3%	2	2	NC	3	75.0%
Weapon Law Violations	2	4	-50.0%	4	6	-33.3%	2	4	-50.0%	4	100.0%
Group A Total	842	717	17.4%	910	758	20.1%	291	308	-5.5%	266	29.2%
Group B Crime Categories											
Bad Checks	13	13	NC	14	14	NC	6	3	100.0%	3	21.4%
Curfew/Loitering/Vagrancy	0	0	NC	0	0	NC	0	0	NC	0	0.0%
Disorderly Conduct	22	32	-31.3%	23	37	-37.8%	6	7	-14.3%	7	30.4%
Driving Under the Influence	91	94	-3.2%	111	124	-10.5%	99	102	-2.9%	107	96.4%
Drunkenness	0	0	NC	0	0	NC	0	0	NC	0	0.0%
Family Offenses, Nonviolent	6	4	50.0%	6	5	20.0%	0	1	-	1	16.7%
Liquor Law Violations	14	26	-46.2%	32	36	-11.1%	31	36	-13.9%	30	93.8%
Peeping Tom	1	0	+	1	0	+	1	0	+	1	0.0%
Runaway (Under 18)	2	0	+	2	0	+	0	0	NC	0	0.0%
Trespass of Real Property	2	2	NC	4	2	100.0%	1	0	+	3	75.0%
All Other	107	156	-31.4%	135	174	-22.4%	94	155	-39.4%	119	88.1%
Group B Total	258	327	-21.1%	328	392	-16.3%	238	304	-21.7%	271	82.6%
Group A and B Total	1,100	1,044	5.4%	1,238	1,150	7.7%	529	612	-13.6%	537	43.4%
Above data includes both completed and attempted offenses.											



March of Dimes Foundation

Metropolitan Detroit Division
27600 Northwestern Hwy., Suite 150
Southfield, MI 48034
Telephone (248) 359-1550
Fax (248) 213-4923
MI630@marchofdimes.com
www.marchofdimes.com/michigan

marchforbabies.org

May 12, 2008

Jeffrey Biegler
Ed Carpus
Troy Parks and Recreation Department
3179 Livernois
Troy, MI 48083

Dear Jeff and Ed,

Many thanks to you both and your staff for supporting the March of Dimes campaign to save babies through March for Babies by ensuring that our start/finish area and route looked great! As you know, the March of Dimes is an independent, non-profit organization and does not receive any funding from other organizations or the federal government. March for Babies brings in nearly 50% of our mission funds and is vital to our campaign.

In the Metro Detroit area, over \$1.5 million was raised, and over 10,000 people walked to support the March of Dimes mission to improve the health of babies by preventing birth defects and infant mortality through community services, advocacy, research, and educational programs.

The Troy Parks and Recreation Department is an imperative part of the Troy Walk and we greatly appreciate your support. I look forward to working with you both and your staff next year at the Troy 2009 Walk.

Thank you for your support in celebrating the 1st March for Babies event.

Please contact me at (248) 359-1566 with any questions or suggestions.

Sincerely,

Sara Martin
Community Director/Troy March for Babies Coordinator

Tax Exempt ID # 13-1846366



U.S. Department of Homeland Security
UNITED STATES SECRET SERVICE

May 8, 2008

U.S. Secret Service
Patrick V. McNamara Building
477 Michigan Avenue, Suite 1000
Detroit, Michigan 48226

130.000

Chief William S. Nelson
Troy Fire Department
500 West Big Beaver Road
Troy, Michigan 48084

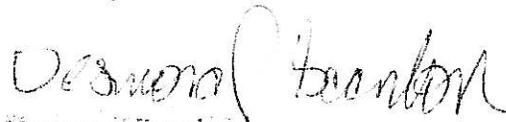
Dear Chief Nelson:

Please let me extend my gratitude to the men and women of your department for all their support during Senator John McCain recent visit to Troy. They did a superb job. As you know, without the assistance of local fire and rescue assets, the U.S. Secret Service's task of protecting Senator John McCain would be insurmountable.

The U.S. Secret Service appreciates your expertise, and service in helping to make this visit a success. Your participation and continued support are always greatly appreciated.

We look forward to working with you and other members of your agency in the future.

Sincerely,


Desmond Scanlon
Special Agent in Charge



RECEIVED

MAY 28 2008

CITY OF TROY
CITY MANAGER'S OFFICE

May 21, 2008

Troy Fire Department
Lt. Chuck Riesterer
500 W. Big Beaver
Troy, MI 48084

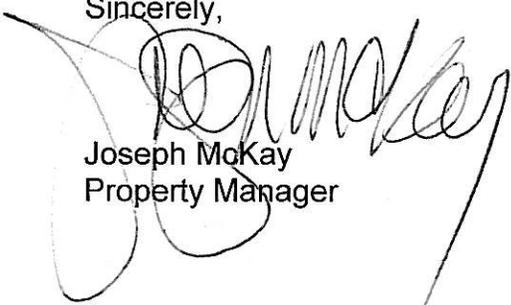
Lt. Chuck Riesterer,

I was asked to write to you by the Northfield Hills Board of Directors to thank you for attending our Annual Meeting held on May 6, 2008 at 7:30 p.m.

The Board of Directors, along with the co-owners in attendance, found your presentation to be informative and enjoyable. Many co-owners have come into the Clubhouse since the meeting and thanked us for having you and Officer Andy Breidenich attend the meeting to address personal safety and fire safety. I am sure that you could tell by the number of questions the co-owners had that the information that you presented was important and well received. Hopefully sometime in the future we will be able to have a meeting that addresses only fire safety and personal safety, I am sure it would be well attended.

Again, thank you for taking time from your busy schedule to make your presentation. The co-owners here are thankful for your time and dedication. It is people like you that make the Troy Fire Department the great organization that it is.

Sincerely,


Joseph McKay
Property Managercc: Chief Bill Nelson
City Manager Phil Nelson



RECEIVED
MAY 28 2008
CITY OF
CITY MANAGER

May 21, 2008

Troy Police Department
Officer Andy Breidenich
500 W. Big Beaver
Troy, MI 48084

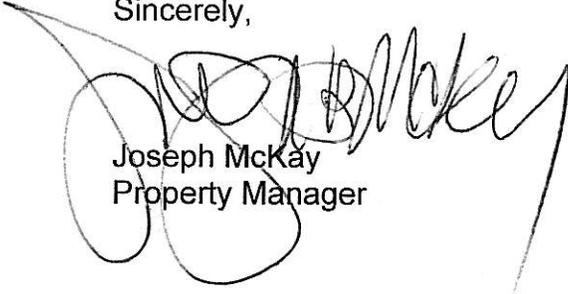
Officer Andy Breidenich,

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Again, thank you for taking time from your busy schedule to make your presentation. The co-owners here are thankful for your time and dedication. It is people like you that make the Troy Police Department the great organization that it is.

Sincerely,



Joseph McKay
Property Manager

cc: Chief Charles Craft
City Manager Phil Nelson

May 7, 2008

Charles T. Craft
Chief of Police
Troy Police Department
500 W. Big Beaver Road
Troy, MI 48084

Dear Chief Craft:

On the evening of May 1, 2008, Kelly Security Officers John Isotalo and Gene Shaffer observed four males in two vehicles parked in the south parking lot of our corporate headquarters. They contacted the Troy Police Department, who dispatched Officers Piltz, Minton, Rushton and Barrow. Through their field investigation the police officers discovered evidence, which led to the occupants being taken into custody and their vehicles impounded.

Our Security Department often informs me of the responsiveness and service provided to our Company by the Troy Police Department, and this is another excellent example. The quality of service we receive from the Troy PD is instrumental in how we approach the security of our employees and property.

Please accept our thanks and extend our compliments to the officers and support personnel who assisted in this matter.

Sincerely,



Daniel T. Lis
Senior Vice President,
General Counsel and Corporate Secretary

cc: City Mgrs Office
D/C Mangel
Captains
Listed Officers/Files
RB

PCVD
5/12/08
ET



Office of the Prosecuting Attorney

DAVID G. GORCYCA
Prosecuting Attorney
County of Oakland

Deborah L. Carley
Chief Deputy Prosecutor

May 13, 2008

Chief Charles Craft
Troy Police Dept
500 W Big Beaver Rd
Troy MI 48084

RECEIVED
Chief of Police
5/22/08 CR

Re: **People v Anthony LaCalamita, III**
CR 2007-215249-FC

Dear Chief Craft:

The purpose of this letter is to acknowledge the professionalism of your department during the trial of Anthony LaCalamita.

Anthony LaCalamita will be sentenced to life without parole on May 21, 2008, for the April 2007 shooting death of Madeline Kafoury in a Troy office building.

The professionalism of Sgt. James Clark, Sgt. Robert Redmond, Sgt. Robert Cantlon, Sgt. Robert Wolfe, Detective John Mork, and Officer Joseph Morgan were a credit to your department.

Also the assistance and input from Sgt. Barry Whiteside and Detective Larry Schehr as the Officers-in-Charge were key in the successful prosecution of the defendant.

cc: Copy Mgr
D/C Mayer
Deborah Commandos
listel personnel/Files
BB
File

RWN/ad

Sincerely,
DAVID G. GORCYCA
PROSECUTING ATTORNEY

Robert W. Novy,
Assistant Prosecuting Attorney



U.S. Department of Homeland Security
UNITED STATES SECRET SERVICE

May 8, 2008

U.S. Secret Service
Patrick V. McNamara Building
477 Michigan Avenue, Suite 1000
Detroit, Michigan 48226

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RECEIVED

MAY 28 2008

CITY OF TROY
CITY MANAGER'S OFFICE

Chief Charles Craft
Troy Police Department
500 West Big Beaver Road
Troy, Michigan 48084

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The U.S. Secret Service appreciates your expertise, and service in helping to make this visit a success. Your participation and continued support are always greatly appreciated.

We look forward to working with you and other members of your agency in the future.

Sincerely,

Desmond Scanlon
Desmond Scanlon
Special Agent in Charge

cc: City Mgr
D/C Mayor
Division Commanders
BB
File

RECEIVED
Chief of Police
5/22/08 CFC