

A Regular Meeting of the Troy City Council was held Monday, July 21, 2008, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:31 PM.

Chaplain Jeff Totten of Troy Police Department 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. On behalf of the State of Michigan and State Senator John Pappageorge, State Representative Marty Knollenberg presented a proclamation recognizing the City of Troy as one of CNN/Money Magazine's *America's Best Small Cities* which rated Troy as first in Michigan and 22nd overall in the United States. In addition, Representative Knollenberg provided a brief legislative update to City Council, City Administration and members of the public.

CARRYOVER ITEMS:

B-1 No Carryover Items

PUBLIC HEARINGS:

C-1 Establishment of an Industrial Development District (IDD) – EcoMotors, 1055 West Square Lake – Removed at the Request of City Administration

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

C-2 Granting of an Industrial Facilities Exemption Certificate (IFEC) to EcoMotors, 1055 West Square Lake – Removed at the Request of City Administration

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

POSTPONED ITEMS:

D-1 Standard Purchasing Resolution 1: Award to Low Bidder – Building Demolition**Proposed Resolution Award to Low Bidder-Building Demolition-Option 1**

Resolution
Moved by Beltramini
Seconded by Kerwin

RESOLVED, That Troy City Council hereby **AWARDS** a contract to provide demolition of various building sites for park land expansion acquisitions to the low total bidder, Ferguson Enterprises, Inc. of Detroit, MI, for an estimated total cost of \$22,435.00, at prices contained in the bid tabulation opened May 19, 2008, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; 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.

Proposed Resolution to Amend by Substitution-Option 2

Resolution #2008-07-225
Moved by Howrylak
Seconded by Eisenbacher

RESOLVED, That Troy City Council hereby **AMENDS** resolution to *Award to Low Bidder-Building Demoliton-Option1* by **STRIKING** it in its entirety and **INSERTING:**

“RESOLVED, That Troy City Council hereby **AWARDS** contracts to provide demolition of various building sites for park land expansion acquisitions to the low bidders: Ahern Contracting, Inc. of Chesterfield, MI for Proposal A - 4265 Rochester Road, Ferguson Enterprises, Inc. of Detroit for Proposal B - 4305 Rochester Road, and Blue Star, Inc. for Proposal C - 1660 East Square Lake at prices contained in the bid tabulation opened May 19, 2008, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

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

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

MOTION CARRIED

Vote on Resolution Award to Low Bidder-Building Demolition as Amended by Substitution

Resolution #2008-07-226

Moved by Beltramini

Seconded by Kerwin

RESOLVED, That Troy City Council hereby **AWARDS** contracts to provide demolition of various building sites for park land expansion acquisitions to the low bidders: Ahern Contracting, Inc. of Chesterfield, MI for Proposal A-4265 Rochester Road, Ferguson Enterprises, Inc. of Detroit for Proposal B-4305 Rochester Road, and Blue Star, Inc. for Proposal C-1660 East Square Lake at prices contained in the bid tabulation opened May 19, 2008, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

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

Yes: Broomfield, Eisenbacher, Fleming, Howrylak

No: Beltramini, Kerwin, Schilling

MOTION CARRIED**PUBLIC COMMENT: Limited to Items Not on the Agenda**

Ann Comiskey: As a 33 year resident, is pleased about the City's designation as the safest city in Michigan.

Appreciated Mayor Schilling's support in writing a letter of application for the Chamber of Commerce's *Non-profit Network* for the *Collaboration Prize* which is awarded to associations whose collaborations seem to work.

Discussed the doors recently harvested from the K-mart and appreciates the city's support of the *Art Unhinged* project. She noted that the proceeds will benefit the Historical Society and the Troy Coalition.

Marvin Reinhardt: Discussed ongoing water problem on his property and his support of Automation Alley.

Scott Walker: Discussed various matters pertaining to his interactions with the city.

David Ross: Restated his continued dissatisfaction in regard to the asphalt path located behind his home in Raintree Park.

REGULAR BUSINESS:

E-9 Verizon's Request for Amendment to Lease – Sylvan Glen Communications Tower

Resolution #2008-07-227 (a)

Moved by Kerwin

Seconded by Eisenbacher

(a) Vote to Grant a Gas Line Easement to Consumer's Power

RESOLVED, That Troy City Council hereby **GRANTS** to Consumers Power the attached ten-foot wide easement for gas pipeline at the Sylvan Glen Golf Course, Parcel Number 88-20-10-200-001, and **AUTHORIZES** the Mayor and City Clerk to execute the document, and **DIRECTS** the City Clerk to record the document with the Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7

MOTION CARRIED**(b) Vote to Approve the First Amendment to the Lease Agreement**

Resolution #2008-07-227 (b)

Moved by Kerwin

Seconded by Eisenbacher

RESOLVED, That Troy City Council hereby **APPROVES** the First Amendment to the Lease Agreement, between the City of Troy and New Par, d/b/a Verizon Wireless, allowing for a generator to be located on the Sylvan Glen Golf Course for the communications tower equipment, 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.

Yes: All-7

MOTION CARRIED

E-1 Appointments to Boards and Committees: a) Mayoral Appointments: None b) City Council Appointments: Building Code Board of Appeals and Library Advisory Board

(a) Mayoral Appointments – No appointments scheduled**(b) City Council Appointments**

Resolution #2008-07-228

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:

Building Code Board of Appeals

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

Theodore Dziurman

Term Expires 07/31/13

Library Advisory Board

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

Junxiao (Joel) Xu-Student

Term Expires 07/31/09

Yes: All-7

MOTION CARRIED

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

(a) **Mayoral Nominations – No nominations scheduled**

(b) **City Council Nominations**

Resolution #2008-07-229

Moved by Howrylak

Seconded by Fleming

RESOLVED, That the 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:

Historic District Commission

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

Emily Wang-Student

Term Expires 07/01/09

Historical Commission

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

Yanyu (Andrew) Liu-Student

Term Expires 07/01/09

Yes: All-7

MOTION CARRIED

E-3 Fire Station 2 Kitchen Renovation

Resolution #2008-07-230

Moved by Eisenbacher

Seconded by Broomfield

RESOLVED, That Troy City Council hereby **AUTHORIZES** City Management to renovate the kitchen at Fire Station 2, including the purchase of kitchen cabinets from The Home Depot

utilizing the U.S. Communities contract, for an estimated total project cost of \$27,600.00 as detailed in Appendix A, using in-house personnel, approved contracts and standard purchasing procedures.

Yes: All-7

MOTION CARRIED

E-4 Dates for the Annual Performance Evaluations of the (a) City Manager and (b) City Attorney in Closed Session

Vote on Resolution to Separate the Vote

Resolution #2008-07-231

Moved by Howrylak

Seconded by Broomfield

RESOLVED, That Troy City Council hereby **SEPARATES** the vote for *Dates for the Annual Performance Evaluations of the (a) City Manager and (b) City Attorney in Closed Session*.

Yes: All-7

MOTION CARRIED

(a) City Manager Evaluation – Closed Session

Resolution #2008-07-232

Moved by Broomfield

Seconded by Kerwin

RESOLVED, That Troy City Council hereby **SCHEDULES** a Closed Session to immediately follow the Regular City Council Meeting on Monday, August 11, 2008 in the Council Board Room of Troy City Hall, 500 W. Big Beaver, Troy, Michigan for the purpose of performance evaluation of the City Manager, pursuant to MCL 15.268(a).

Yes: All-7

MOTION CARRIED

(b) City Attorney Evaluation – Closed Session

Resolution #2008-07-233

Moved by Broomfield

Seconded by Kerwin

RESOLVED, That Troy City Council hereby **SCHEDULES** a Closed Session to immediately follow the Regular City Council Meeting on Monday, August 25, 2008 in the Council Board Room of Troy City Hall, 500 W. Big Beaver, Troy, Michigan for the purpose of performance evaluation of the City Attorney, pursuant to MCL 15.268(a).

Yes: All-7

MOTION CARRIED

E-5 Authorization to Make Unconditioned Offer to Purchase Property for John R Road Improvements, Square Lake to South Boulevard – Project No. 02.204.5, Parcel #43 – Sidwell #88-20-02-279-002 and Request for Authorization to Institute Court Action

(a) Authorization to Make Unconditioned Offer

Resolution #2008-07-234 (a)
Moved by Kerwin
Seconded by Beltramini

WHEREAS, In order to proceed with the proposed John R Road Improvements, between Square Lake Road and South Boulevard, it is necessary for the City to acquire the property at 6675 John R, having Sidwell #88-20-02-279-002 from James W. Munchiando and Elizabeth S. Munchiando; and

BE IT RESOLVED, That Troy City Council hereby **AUTHORIZES** the Real Estate and Development Department to make an unconditioned offer to purchase property at 6675 John R in the amount of \$531,881.75, plus closing costs.

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

MOTION CARRIED

(b) Authorization to Institute Court Action

Resolution #2008-07-234 (b)
Moved by
Seconded by

WHEREAS, In order to proceed with the John R Road Improvements, from Square Lake to South Boulevard, it is necessary for the City to obtain the needed property from the property owners of 6675 John R, having Sidwell #88-20-02-279-002; and

BE IT RESOLVED, That Troy City Council hereby **AUTHORIZES** the City Attorney, if necessary, to institute condemnation litigation and to execute and deliver any and all documents and papers, and to expend necessary funds expedient for the prosecution of such proceedings or settlement of such claims on proceedings by and with the express approval of this Council.

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

MOTION CARRIED

E-6 Amendment to Chapter 20 of Troy City Code – Financing of Water and Sewer Benefit Fees

Resolution #2008-07-235

Moved by Beltramini

Seconded by Fleming

RESOLVED, That Troy City Council hereby **ADOPTS** an ordinance amending Section 10.03 of Chapter 20 of the Troy City Code, to include additional financing options for new homes constructed to replace an existing home in accordance with the proposal prepared by City Management and laid on the table tonight by the City Attorney, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7

MOTION CARRIED

The meeting **RECESSED** at 8:58 PM.

The meeting **RECONVENED** at 9:11PM.

E-7 Conservation Easement to the State of Michigan – Department of Environmental Quality in Connection with Sylvan Glen Golf Course and Section 4 Weir Projects

Resolution #2008-07-236

Moved by Beltramini

Seconded by Fleming

WHEREAS, The City of Troy has received and is implementing MDEQ Permit 03-63-0084P, which requires the City of Troy to grant a Conservation Easement of 2.24 acres to the State of Michigan; and

WHEREAS, The City of Troy has created over 7 acres of wetlands as a part of the Sylvan Glen Golf Course Streambank Stabilization Project;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **GRANTS** a Conservation Easement over 1.1 acres at the Section 4 Weir Project site, and 1.14 acres of wetlands at the Sylvan Glen Golf Course to the State of Michigan; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** the attached Conservation Easement between the City of Troy and the State of Michigan, and **AUTHORIZES** the Mayor and City Clerk to execute the Conservation Easement, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the installation of signage at both sites to ensure that these areas remain natural wetland, and educate visitors about the importance of wetlands.

Yes: All-7

MOTION CARRIED

E-8 Charter Revision Committee Recommendation of Proposed Ballot Language to the Citizen Petition Initiated Charter Amendment Proposal – Section 9.16.5 and Proposed Amendment to Section 6.2(g) – Vacancies in Elective Office

Vote on Resolution to Postpone *Proposed Ballot Language to the Citizens Initiated Charter Amendment- Section 9.16.5 Ballot Language*

Resolution #2008-07-237

Moved by Eisenbacher

Seconded by Fleming

RESOLVED, That Troy City Council hereby **POSTPONES** the *Proposed Ballot Language to the Citizens Petition Initiated Charter Amendment-Section 9.16.5* until the Regular City Council meeting scheduled for Monday, August 11, 2008 for the purpose of receiving an additional language proposal from City Staff.

Yes: Howrylak, Beltramini, Broomfield, Eisenbacher, Fleming

No: Kerwin, Schilling

MOTION CARRIED

Vote on Resolution to Refer *Proposed Amendment to Section 6.2(g) – Vacancies in Elective Office to the Charter Revision Committee*

Resolution #2008-07-238

Moved by Beltramini

Seconded by Eisenbacher

RESOLVED, That Troy City Council hereby **REFERS** the proposed amendment to *Section 6.2(g)-Vacancies to Elective Office* back to the Charter Revision Committee for study, input and additional amendment options to be proposed by City Administration, and provide a recommendation to City Council

Yes: All-7

MOTION CARRIED

CONSENT AGENDA:

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

Resolution #2008-07-239

Moved by Beltramini

Seconded by Eisenbacher

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Items F-2 and F-5 which **SHALL BE CONSIDERED** after Consent Agenda (F) items, as printed.

Yes: All-7

MOTION CARRIED

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

F-4 Standard Purchasing Resolutions

a) Standard Purchasing Resolution 3: Exercise Renewal Option – Tee Shirts

Resolution #2008-07-239-F-4a

WHEREAS, On October 15, 2007, a one-year contract with an option to renew for one additional year for tee shirts was awarded to the low total bidder, EA Graphics of Sterling Heights, Michigan (Resolution #2007-10-294-E-4c); and

WHEREAS, EA Graphics has agreed to exercise the one-year option to renew the contract under the same pricing, terms and conditions;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **EXERCISES** the option to renew the contract with EA Graphics to provide tee shirts under the same prices, terms, and conditions for one year at unit prices contained in the bid tabulation opened October 2, 2007, to expire September 30, 2009.

b) Standard Purchasing Resolution 8: Best Value Award – General Consulting Engineering Services

Resolution #2008-07-239-F-4b

RESOLVED, That Troy City Council hereby **AWARDS** contract(s) to provide General Consulting Engineering Services for three (3) years with an option to renew for three (3) additional years, to the three (3) highest rated bidder(s), Hubbell, Roth & Clark, Inc., (HRC), of Pontiac, MI; Spalding DeDecker Associates, Inc., (SDA), of Rochester Hills, MI; and Orchard, Hiltz & McCliment, Inc. (OHM), of Livonia, MI, as a result of a best value process expiring June 30, 2011, at unit prices contained in the tabulation opened June 18, 2008, with additional services priced as outlined in their respective rate schedules, copies of which are **ATTACHED** to the original Minutes of this meeting; and

BE IT FURTHER RESOLVED, That the awards are **CONTINGENT** upon consultants' submission of properly executed proposal and contract documents, including agreements, insurance certificates and all other specified requirements; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **AUTHORIZES** the Mayor and City Clerk to execute the agreements once in acceptable form.

F-6 Approval to Purchase Property from the Oakland County Drain Commission – King Drain District, Sidwell #88-20-04-476-011 and -012

Resolution #2008-07-239-F-6

RESOLVED, That Troy City Council hereby **APPROVES** the purchase of two parcels of land located in the City of Troy owned by the Oakland County Drain Commission – King Drain District, having Sidwell #88-20-04-476-011 & 012 in the amount of \$3,240.00; 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.

F-7 Application for New SDM License, Agrusa International Marketplace, LLC – 5047 Rochester Road**(a) New License**

Resolution #2008-07-239-F-7a

RESOLVED, That Troy City Council hereby **CONSIDERS** for **APPROVAL** the request from Agrusa International Marketplace, LLC, for a new SDM license to be located at 5047 Rochester, Troy, MI 48085, 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

Resolution #2008-07-239-F-7b

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 Agrusa International Marketplace, LLC, for a new SDM license to be located at 5047 Rochester, Troy, MI 48085, Oakland County, from MJMN, Inc., 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-8 Application for New Outdoor Service Permit, Transfer of Class C Resort and SDM License, Loccino, Inc. – 5600 Crooks Road, Suite 106**(a) Transfer License and New Outdoor Service Permit**

Resolution #2008-07-239-F-8a

RESOLVED, That Troy City Council hereby **CONSIDERS** for **APPROVAL** the request from Loccino, Inc., to transfer ownership of 2007 Resort Class C licensed business (MCL 436.1531(4); minimum seating 250; non-transferable and SDM license in conjunction with Official Permit (Food), and new Outdoor Service Permit; located in escrow at 5600 Crooks, Suite 106, Troy MI 48098, Oakland County, from Palm Troy Company, LLC (an Illinois Limited Liability Company). {MLCC Req #441407}; and

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

(b) Agreement

Resolution #2008-07-239-F-8b

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 Loccino, Inc., to transfer ownership of 2007 Class C licensed business (MCL 436.1531(4); minimum seating 250; non-transferable and SDM license in conjunction with Official Permit (Food), and new Outdoor Service Permit; located in escrow at 5600 Crooks, Suite 106, Troy MI 48098, 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-9 Application for Location Transfer of SDD and SDM License, Arbor Drugs, Inc. – 1980 E. Big Beaver Road

(a) Transfer Location

Resolution #2008-07-239-F-9a

RESOLVED, That Troy City Council hereby **CONSIDERS** for **APPROVAL** the request from Arbor Drugs, Inc. to transfer location of 2008 SDD and SDM licensed business from 2963 E. Big Beaver to 1980 E. Big Beaver, Troy, MI 48083, 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

Resolution #2008-07-239-F-9b

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; and

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** an agreement with Arbor Drugs, Inc. to transfer location of 2008 SDD and SDM licensed business from 2963

E. Big Beaver to 1980 E. Big Beaver, Troy, MI 48083, 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-10 Public Hearing for the Purpose of Receiving Public Input on the City of Royal Oak Hospital Financing Authority Utilizing Tax-Exempt Bonds

Resolution #2008-07-239-F-10

WHEREAS, William Beaumont Hospital is anticipating a financing through the City of Royal Oak Hospital Financing Authority utilizing tax-exempt bonds;

WHEREAS, The Internal Revenue Code of 1986, as amended (the "Code"), requires a public hearing before authorizing the issuance of bonds by a hospital authority in all jurisdictions benefitting from the issuance; and

WHEREAS, A portion of the proceeds of the bonds will be used to construct, acquire, renovate, equip, rehabilitate and/or improve hospital facilities in the city of Troy as well as to refund bonds, the proceeds of which were used to construct an addition to William Beaumont Hospital – Troy;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **SCHEDULES** a public hearing for Monday, August 11, 2008 at 7:30 PM in Council Chambers of Troy City Hall, 500 W. Big Beaver, Troy, MI 48084 for the purpose of receiving public input on the City of Royal Oak Hospital Financing Authority issuing tax-exempt bonds for William Beaumont Hospital.

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

F-2 Approval of City Council Minutes

Resolution #2008-07-240
Moved by Howrylak
Seconded by Broomfield

RESOLVED, That Troy City Council hereby **APPROVES** the Minutes of the 5:00 PM Special City Council Meeting of July 7, 2008 and the 7:30 PM Regular City Council Meeting of July 7, 2008 as amended.

Yes: All-7

MOTION CARRIED

F-5 Contract Extension – Banking Services

Resolution #2008-07-241
Moved by Beltramini
Seconded by Kerwin

WHEREAS, On July 19, 1999, City Council approved a three (3) year contract to provide Banking Services with an option to renew the contract for an additional three (3) year period to Fifth Third Bank (formerly Old Kent Bank), the most qualified and lowest bidder as a result of a request for proposal process (Resolution #99-349-E-2c), and on May 6, 2002, exercised the renewal option for an additional three years under the same prices, terms and conditions expiring September 30, 2005 (Resolution #2002-05-288-E2), and on June 20, 2005, the contract was extended for a three-year period expiring October 1, 2008, with fee reductions in Controlled Disbursement Accounts from \$100.00 to \$50.00 per account per month and deposit fees from \$.60 cents to \$.50 cents per deposit (Resolution #2005-06-304-F3);

WHEREAS, Fifth Third Bank has offered to extend their contract for three years under the same prices, terms and conditions currently in place; and

WHEREAS, The City has successfully implemented lock box and procurement card services to enhance payment collection and improve efficiencies of purchasing procedures;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** a three-year contract to provide Banking Services with Fifth Third Bank under the same pricing, terms, and conditions expiring October 1, 2011.

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

No: Howrylak

MOTION CARRIED

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings: None Submitted

G-2 Memorandums:

- a. Proposed New Liquor License Ordinance – August 11, 2008
Noted and Filed

COUNCIL REFERRALS:

H-1 No Council Referrals Advanced

COUNCIL COMMENTS:

I-1 Council Comments:

Council Member Beltramini referred to a newspaper article about Oakland County greening their fleet and believes this is another example of how another governmental entity is getting press coverage about something that the City of Troy has been doing for years. Council Member Beltramini explained that Fleet Maintenance has been purchasing hybrid vehicles for at least three years and has been using synthetic fuels in all city vehicles long before she became a council member. Council Member Beltramini appreciates the type of foresight the City of Troy's cutting edge staff demonstrates.

Council Member Beltramini suggested that Council Members and City Staff attend the SEMCOG green seminar scheduled for Thursday, August 7th.

Council Member Kerwin encouraged anyone wishing to participate in the tour portion of the green seminar to sign up as soon as possible because participation is limited to 60 attendees. Council Member Kerwin noted that City Council has not discussed public policies that would encourage developers and those looking at redevelopment projects to make an investment in green. Council Member Kerwin would welcome a future Council discussion about ways to encourage this type of discussion.

Council Member Kerwin discussed the difference between debate and deliberation. She believes their job as a City Council is to deliberate or to have dialogue and tonight it was evident to her that at certain times this type of discussion took place. She continued by stating that during debate they listen to find flaws and make counter arguments. However, she believes that during deliberation, they listen to understand and find meaning and agreement. Council Member Kerwin believes there is value in having true deliberation with City Council, City Staff and the public.

Council Member Kerwin reminded the public that a Blood Drive is taking place on Tuesday, July 22nd and Wednesday, July 23rd at the Troy Community Center.

Council Member Kerwin reported that she attended the first "Family Drive-In" event last night at Somerset Mall. In addition, she advised "Concert on the Green" was held yesterday afternoon and believes there are many activities available in the City for all ages.

Council Member Broomfield asked City Staff to provide a list of structures with a history of having a long standing building permit similar to David Parks' structure.

Mayor Schilling referred to an article in the Somerset Gazette showcasing the City of Troy's Fleet Maintenance Division's use of hybrid vehicles and suggested that this information be forwarded to the other newspapers.

REPORTS:

J-1 Minutes – Boards and Committees:

- a. Liquor Advisory Committee/Final – March 10, 2008
- b. Brownfield Redevelopment Authority Special/Final – March 20, 2008
- c. Brownfield Redevelopment Authority Special/Final – March 31, 2008
- d. Retiree Health Care Benefits Plan & Trust/Final – April 9, 2008
- e. Brownfield Redevelopment Authority/Final – April 15, 2008
- f. Liquor Advisory Committee/Final – May 12, 2008
- g. Ethnic Issues Advisory Board/Draft – June 3, 2008
- h. Building Code Board of Appeals/Final – June 4, 2008
- i. Board of Zoning Appeals/Draft – June 17, 2008
- j. Board of Zoning Appeals/Final – June 17, 2008
- k. Planning Commission Special/Study/Draft – June 24, 2008
- l. Planning Commission Special/Study/Final – June 24, 2008
- m. Building Code Board of Appeals/Draft – July 2, 2008

- n. Employees' Retirement System Board of Trustees/Draft – July 9, 2008
- o. Retiree Health Care Benefits Plan & Trust/Draft – July 9, 2008
- p. Liquor Advisory Committee/Draft – July 14, 2008
Noted and Filed

J-2 Department Reports:

- a. Building Department – Permits Issued July 2007 through June 2008
- b. Building Department – Permits Issued January through June 2008
- c. Building Department – Permits Issued during the Month of June 2008
- d. Purchasing Departments – Final Reporting – BidNet On-Line Auction – Fleet Vehicles – June 2008
Noted and Filed

J-3 Letters of Appreciation:

- a. Letter of Thanks to Tonni Bartholomew from Adult Services Librarian Barbara Williams Regarding the Service Received from Laura Campbell
Noted and Filed

J-4 Proposed Proclamations/Resolutions from Other Organizations:

- a. City of Royal Oak – Resolution Requesting the Federal Legislature to Increase the Formula for Community Development Block Grant Funding
Noted and Filed

J-5 Report from Gabriel Roeder Smith & Company – City of Troy Incentive Plan for Volunteer Firefighters – 28th Annual Actuarial Valuation – December 31, 2007

Noted and Filed

J-6 Communication from Public Works Director Timothy Richnak Regarding Program Year 2008 Community Development Block Grant (CDBG) Funds

Noted and Filed

J-7 Communication from City Manager Phillip Nelson Regarding CNNMoney.com Designation of America's Best Cities

Mayor Schilling believes Mr. Nelson's comments in response to the article in CNN/Money Magazine complements City Council and City Staff's *Budgeting for Outcomes* discussions. She explained Mr. Nelson's memo clarifies why Troy was selected by CNN/Money Magazine. Mayor Schilling believes that today's decisions will affect the community in years to come and that previous councils understood that concept as they made their decisions and when they created the Charter. She continued by stating that former councils also kept the city fiscally sound and solvent, and developed a Master Plan that works well for the city. The Mayor encouraged everyone to read the article in CNN/Money Magazine noting that she was pleased that all the local newspapers mentioned the article. She continued by stating that City Council and the community should continue to work to stay on the grid because this type of recognition does not come easily. Therefore, the Mayor believes as they continue the *Budgeting for Outcomes* process, they should include the Futures process and the Downtown Development Authority.

Council Member Howrylak concurs with the Mayor's comments except for her inclusion of the Downtown Development Authority. He explained he recently received a communication from the Mackinac Center for Public Policy about the demise of Pontiac. He believes the most

important item cited was that Pontiac has five tax increment financing authorities which divert much needed revenue and assets into bodies which are run by unelected officials and control vast sums of money. For example, Council Member Howrylak did not realize that Pontiac owned the Strand Theatre, although he did know they owned the Phoenix Center. He believes it would be wise for Troy to study Pontiac to make sure they do not make the same mistakes. However, Council Member Howrylak admits it is nice to be recognized.

Council Member Howrylak added that he likes the placement of the promotional videos on the City's website and would like the link added to the front page.

Mayor Schilling noted that the Governor recently signed bills bringing forth seven initiatives for Downtown Development Authorities. The Mayor believes if DDA's are developed properly they can be a great benefit to communities. Mayor Schilling noted that the initiatives will be discussed at the DDA meeting scheduled for Wednesday, July 23rd.

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 10:39 PM.

Louise E. Schilling, Mayor

Tonni L. Bartholomew, MMC
City Clerk