Council Member Beltramini gave the Invocation. The Pledge of Allegiance to the Flag was given.

A. CALL TO ORDER:

The Regular Meeting of the Troy City Council was held Monday, August 23, 2010, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:30 PM.

B. ROLL CALL:

Mayor Louise E. Schilling
Robin Beltramini
Mayor Pro Tem Wade Fleming - Absent
Martin Howrylak
Mary Kerwin
Maureen McGinnis
Dane Slater

Vote on Resolution to Excuse Mayor Pro Tem Fleming

Resolution #2010-08-175
Moved by Beltramini
Seconded by Fleming

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of Mayor Pro Tem Fleming at the Regular City Council Meeting of Monday, August 23, 2010, due to being absent from the County.

Yes: Beltramini, Howrylak, McGinnis, Slater
No: Schilling, Kerwin
Absent: Fleming

MOTION CARRIED

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 Certificates of Recognition and Special Presentations Scheduled

a) On behalf of the Information Technology Department, Alex Bellak, GIS Administrator provided a 10-minute presentation associated with receiving the Special Achievement in GIS (SAG) Award from Environmental Systems Research Institute, Inc. (ESRI).

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 No Public Hearings

F. PUBLIC COMMENT:

In accordance with the Rules of Procedure of the City Council, Article 16 – Members of the Public and Visitors

Tim Burns	Oakland County update regarding free immunizations
Audre Zembrzuski	Library; lawsuits; voter education
Marvin Reinhardt	Troy Police Academy; transit center; race relations
James Savage	Big Beaver Rd. and Rochester Rd. intersection; Big Beaver Corridor Study; Futuring Study; Civic Center park
Richard Peters	New law

G. RESPONSE / REPLY TO PUBLIC COMMENT

H. POSTPONED ITEMS:

H-1 No Postponed Items

I. REGULAR BUSINESS:

I-1 Appointments to Boards and Committees: None Scheduled

I-2 Nominations for Appointments to Boards and Committees: None Scheduled

I-3 Request for Closed Session – None Requested

I-4 Designation of Voting Delegates at the Annual Meeting of the Michigan Municipal League

Resolution #2010-08-176
Moved by Beltramini
Seconded by Schilling

RESOLVED, That Troy City Council hereby **DESIGNATES** Council Member Kerwin as Principal Official Representative (Official Voting Delegate) and hereby **DESIGNATES** Council Member McGinnis as the Alternate Official Representative (Official Alternate Voting Delegate) to cast the vote of the City of Troy at the Annual Business Meeting of the Michigan Municipal League to be held September 21 through September 24, 2010 in Dearborn, Michigan.

Yes: Beltramini, Howrylak, Kerwin, McGinnis, Slater, Schilling
No: None
Absent: Fleming

MOTION CARRIED

I-5 Joint Meeting with Planning Commission to Discuss Economic Development Initiatives

Resolution #2010-08-177
Moved by Kerwin
Seconded by McGinnis

RESOLVED, That a joint meeting between the Troy City Council and the Troy Planning Commission be **SCHEDULED** on Monday, October 4, 2010, immediately following the Regular City Council Meeting, in the Lower Level Conference Room, to Discuss Economic Development Initiatives.

Yes: Howrylak, Kerwin, McGinnis, Slater, Schilling, Beltramini
No: None
Absent: Fleming

MOTION CARRIED

I-6 General Obligation Unlimited Tax Refunding Bonds

Resolution #2010-08-178
Moved by Beltramini
Seconded by Slater

WHEREAS, Pursuant to the provisions of Act 279, Public Acts of Michigan, 1909, as amended ("Act 279") and the City Charter of the City of Troy (the "City"), and as a result of the affirmative vote of the City's electors at the general election in the City on April 5, 1999, the City issued its General Obligation Unlimited Tax Bonds, Series 2003 (Public Safety Facilities and City Hall) (the "2003 Bonds") in the aggregate principal amount of $14,500,000 for the purpose of defraying the cost of the acquisition and construction of various public safety facilities in the City and the renovation, reconstruction and equipping of the City Hall Building and appurtenant facilities and the costs incident thereto; and

WHEREAS, The 2003 Bonds remain outstanding in the aggregate principal amount of $11,000,000, mature in various principal amounts on October 1 in the years 2010 through 2020 and bear interest at rates per annum which vary from 3.500% to 4.500%; and

WHEREAS, Part VI of Act 34, Public Acts of Michigan, 2001, as amended ("Act 34") authorizes the City to refund all or any part of its outstanding securities; and

WHEREAS, The City has received a proposal from Fifth Third Securities, Inc. (the "Underwriter") to refund part of the outstanding 2003 Bonds; and

WHEREAS, The City Manager has recommended that this resolution be adopted in order to effect the refunding of part of the outstanding 2003 Bonds and this Council has determined that it is in the best interest of the City that such refunding be undertaken.

NOW, THEREFORE, BE IT RESOLVED:

1. AUTHORIZATION OF BONDS -- PURPOSE.

Bonds of the City, aggregating the principal sum of not to exceed Ten Million Dollars ($10,000,000) (the "Refunding Bonds"), shall be issued and sold pursuant to the provisions of Act 34, and other applicable statutory provisions, for the purpose of refunding part of the 2003 Bonds (the "2003 Bonds To Be Refunded"). The City Manager shall determine which of the 2003 Bonds shall be refunded and the principal amount of the Refunding Bonds at the time of sale.

2. BOND DETAILS.

The Refunding Bonds shall be designated "General Obligation Unlimited Tax Refunding Bonds, Series 2010B;" shall be dated as of such date as shall be approved by the City Manager at the time of sale; shall be numbered from 1 upwards; shall be fully registered; shall be in the denomination of $5,000 each or any integral multiple thereof not exceeding the aggregate principal amount for each maturity at the option of the purchaser thereof; shall bear interest at a rate or rates not exceeding 6% per annum to be determined by the City Manager at the time of sale payable on such dates as shall be determined by the City Manager at the time of sale; and shall mature in such principal amounts and on such dates and in such years as shall be determined by the City Manager at the time of sale.

3. PAYMENT OF PRINCIPAL AND INTEREST.

The principal of and interest on the Refunding Bonds shall be payable in lawful money of the United States. Principal shall be payable upon presentation and surrender of the Refunding Bonds to the bond registrar and paying agent as they severally mature. Interest shall be paid to the registered owner of each Refunding Bond as shown on the registration books at the close of business on the fifteenth day of the calendar month preceding the month in which the interest payment is due. Interest shall be paid when due by check or draft drawn upon and mailed by the bond registrar and paying agent to the registered owner at the registered address.

4. PRIOR REDEMPTION.

The Refunding Bonds shall be subject to redemption prior to maturity if so determined by the City Manager at the time of sale and if so determined, upon such terms and conditions as shall be approved by the City Manager.

5. BOOK-ENTRY SYSTEM.

Initially, one fully-registered bond for each maturity of the Refunding Bonds, in the aggregate amount of such maturity, shall be issued in the name of Cede & Co., as nominee of The Depository Trust Company ("DTC") for the benefit of other parties (the "Participants") in the book-entry-only transfer system of DTC. In the event the City determines that it is in the best interest of the City not to continue the book-entry system of transfer or that the interests of the holders of the Refunding Bonds might be adversely affected if the book-entry system of transfer is continued, the City may notify DTC and the bond registrar and paying agent, whereupon DTC will notify the Participants of the availability through DTC of bond certificates. In such event, the bond registrar and paying agent shall deliver, transfer and exchange bond

certificates as requested by DTC and any Participant or "beneficial owner" in appropriate amounts in accordance with this resolution. DTC may determine to discontinue providing its services with respect to the Refunding Bonds at any time by giving notice to the City and the bond registrar and paying agent and discharging its responsibilities with respect thereto under applicable law or the City may determine that DTC is incapable of discharging its duties and may so advise DTC. In either such event, the City shall use reasonable efforts to locate another securities depository. Under such circumstances (if there is no successor securities depository), the City and the bond registrar and paying agent shall be obligated to deliver bond certificates in accordance with the procedures established by this resolution. In the event bond certificates are issued, the provisions of this resolution shall apply to, among other things, the transfer and exchange of such certificates and the method of payment of principal of and interest on such certificates. Whenever DTC requests the City and the bond registrar and paying agent to do so, the City and the bond registrar and paying agent shall cooperate with DTC in taking appropriate action after reasonable notice to make available one or more separate certificates evidencing the Refunding Bonds to any Participant having Refunding Bonds certificated to its DTC account or to arrange for another securities depository to maintain custody of certificates evidencing the Refunding Bonds.

Notwithstanding any other provision of this resolution to the contrary, so long as any bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to the principal of, interest on and redemption premium, if any, on the Refunding Bonds and all notices with respect to the Refunding Bonds shall be made and given, respectively, to DTC as provided in the Blanket Issuer Letter of Representations previously entered into by the City and DTC, and the City Manager is authorized to enter into any additional documents with DTC on behalf of the City as deemed to be appropriate in order to accomplish the issuance of the Refunding Bonds in accordance with law and this resolution.

6. BOND REGISTRAR AND PAYING AGENT.

The Huntington National Bank is hereby appointed as bond registrar and paying agent for the Refunding Bonds, and the City Manager is authorized to enter into an agreement with the bond registrar and paying agent. The City Manager from time to time may designate, and may enter into an agreement with, a successor bond registrar and paying agent, which shall be a bank or trust company located in the State of Michigan which is qualified to act in such capacity under the laws of the United States of America or the State of Michigan.

7. EXECUTION, AUTHENTICATION AND DELIVERY OF BONDS.

The Refunding Bonds shall be executed in the name of the City by the facsimile signatures of the Mayor and the City Clerk and authenticated by the manual signature of an authorized representative of the bond registrar and paying agent, and the seal of the City (or a facsimile thereof) shall be impressed or imprinted on the Refunding Bonds. After the Refunding Bonds have been executed and authenticated for delivery to the Underwriter, they shall be delivered by the Treasurer to the Underwriter upon receipt of the purchase price. Additional Refunding Bonds bearing the facsimile signatures of the Mayor and the City Clerk and upon which the seal of the City (or a facsimile thereof) is impressed or imprinted may be delivered to the bond registrar and paying agent for authentication and delivery in connection with the exchange or transfer of the Refunding Bonds. The bond registrar and paying agent shall indicate on each Refunding Bond the date of its authentication.

8. EXCHANGE AND TRANSFER OF BONDS.

Any Refunding Bond, upon surrender thereof to the bond registrar and paying agent with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the registered owner or his duly authorized attorney, at the option of the registered owner thereof, may be exchanged for Refunding Bonds of any other authorized denominations of the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered Refunding Bond.

Each Refunding Bond shall be transferable only upon the books of the City, which shall be kept for that purpose by the bond registrar and paying agent, upon surrender of such Refunding Bond together with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the registered owner or his duly authorized attorney.

Upon the exchange or transfer of any Refunding Bond, the bond registrar and paying agent on behalf of the City shall cancel the surrendered Refunding Bond and shall authenticate and deliver to the transferee a new Refunding Bond or Bonds of any authorized denomination of the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered Refunding Bond. If, at the time the bond registrar and paying agent authenticates and delivers a new Refunding Bond pursuant to this section, payment of interest on the Refunding Bonds is in default, the bond registrar and paying agent shall endorse upon the new Refunding Bond the following: “Payment of interest on this bond is in default. The last date to which interest has been paid is _____.”

The City and the bond registrar and paying agent may deem and treat the person in whose name any Refunding Bond shall be registered upon the books of the City as the absolute owner of such Refunding Bond, whether such Refunding Bond shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such Refunding Bond and for all other purposes, and all payments made to any such registered owner, or upon his order, in accordance with the provisions of Section 3 of this resolution shall be valid and effectual to satisfy and discharge the liability upon such Refunding Bond to the extent of the sum or sums so paid, and neither the City nor the bond registrar and paying agent shall be affected by any notice to the contrary. The City agrees to indemnify and save the bond registrar and paying agent harmless from and against any and all loss, cost, charge, expense, judgment or liability incurred by it, acting in good faith and without negligence hereunder, in so treating such registered owner.

For every exchange or transfer of Refunding Bonds, the City or the bond registrar and paying agent may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer.

The bond registrar and paying agent shall not be required to transfer or exchange Refunding Bonds or portions of Refunding Bonds which have been selected for redemption.

9. FORM OF REFUNDING BONDS.

The Refunding Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF TROY
GENERAL OBLIGATION UNLIMITED TAX REFUNDING BOND, SERIES 2010B

INTEREST RATE	MATURITY DATE	DATE OF ORIGINAL ISSUE	CUSIP

Registered Owner:

Principal Amount:

The City of Troy, County of Oakland, State of Michigan (the "City"), acknowledges itself indebted to, and for value received hereby promises to pay to, the Registered Owner identified above, or registered assigns, the Principal Amount set forth above on the Maturity Date specified above, unless redeemed prior thereto as hereinafter provided, upon presentation and surrender of this bond at the corporate trust office of The Huntington National Bank, the bond registrar and paying agent, located in Grand Rapids, Michigan, or other designated office, or at such successor bond registrar and paying agent as may be designated pursuant to the Resolution, and to pay to the Registered Owner, as shown on the registration books at the close of business on the 15th day of the calendar month preceding the month in which an interest payment is due, by check or draft drawn upon and mailed by the bond registrar and paying agent by first class mail postage prepaid to the Registered Owner at the registered address, interest on such Principal Amount from the Date of Original Issue set forth above, or such later date through which interest has been paid, until the City's obligation with respect to the payment of such Principal Amount is discharged, at the rate per annum specified above. Interest is payable on the first days of _____ and _____ in each year, commencing on _____ 1, 20__. Principal and interest are payable in lawful money of the United States of America.

This bond is one of a series of bonds aggregating the principal sum of _____ Dollars ($_____) issued by the City under and pursuant to and in full conformity with the Constitution and Statutes of Michigan (especially Act No. 34, Public Acts of 2001, as amended) and a resolution adopted by the City Council of the City and an order adopted by the City Manager of the City (said resolution and order herein collectively referred to as the "Resolution") for the purpose of refunding the City's outstanding General Obligation Unlimited Tax Bonds, Series 2003 (Public Safety Facilities and City Hall) maturing in the years 20__ through 20__. The full faith and credit of the City are hereby pledged for the prompt payment of the principal of and interest on this bond. The City is authorized and required to levy annually ad valorem taxes, without limitation as to rate or amount, to pay such principal and interest as the same shall become due.

This bond is transferable, as provided in the Resolution, only upon the books of the City kept for that purpose by the bond registrar and paying agent, upon the surrender of this bond together with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the registered owner or his attorney duly authorized in writing. Upon the exchange or transfer of this bond a new bond or bonds of any authorized denomination, in the same aggregate principal amount and of the same interest rate and maturity, shall be

authenticated and delivered to the transferee in exchange therefor as provided in the Resolution, and upon payment of the charges, if any, therein provided. Bonds so authenticated and delivered shall be in the denomination of $5,000 or any integral multiple thereof not exceeding the aggregate principal amount for each maturity.

The bond registrar and paying agent shall not be required to transfer or exchange bonds or portions of bonds which have been selected for redemption.

Bonds maturing prior to _____, _____, are not subject to redemption prior to maturity. Bonds maturing on and after _____, _____, are subject to redemption prior to maturity at the option of the City, in such order as shall be determined by the City, on any one or more dates on and after _____, _____. Bonds of a denomination greater than $5,000 may be partially redeemed in the amount of $5,000 or any integral multiple thereof. If less than all of the bonds maturing in any year are to be redeemed, the bonds or portions of bonds to be redeemed shall be selected by lot. The redemption price shall be the par value of the bond or portion of the bond called to be redeemed plus interest to the date fixed for redemption and a premium as follows:

__% of the par value if called for redemption on or after _____, ____, but prior to _____, ____;

No premium if called for redemption on or after _____.

Not less than thirty nor more than sixty days' notice of redemption shall be given to the registered owners of bonds called to be redeemed by mail to each registered owner at the registered address. Bonds or portions of bonds called for redemption shall not bear interest on and after the date fixed for redemption, provided funds are on hand with the bond registrar and paying agent to redeem the same.

It is hereby certified, recited and declared that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of the bonds of this series, existed, have happened and have been performed in due time, form and manner as required by law, and that the total indebtedness of the City, including the series of bonds of which this bond is one, does not exceed any constitutional, statutory or charter limitation.

IN WITNESS WHEREOF, The City of Troy, County of Oakland, State of Michigan, by its City Council, has caused this bond to be executed in its name by facsimile signatures of the Mayor and City Clerk and its corporate seal (or a facsimile thereof) to be impressed or imprinted hereon. This bond shall not be valid unless the Certificate of Authentication has been manually executed by an authorized representative of the bond registrar and paying agent.

CITY OF TROY

By: _____
Tonni L. Bartholomew, City Clerk

By: _____
Louise E. Schilling, Mayor
(SEAL)

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the within mentioned Resolution.

The Huntington National Bank
Bond Registrar and Paying Agent

By: _____
Authorized Representative

AUTHENTICATION DATE:

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____ (please print or type name, address and taxpayer identification number of transferee) the within bond and all rights thereunder and does hereby irrevocably constitute and appoint _____ _____ attorney to transfer the within bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed: _____

Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities Transfer Association recognized signature guarantee program.

END OF BOND FORM

10. SECURITY.

The full faith and credit of the City are hereby pledged to the payment of the principal of and interest on the Refunding Bonds. There shall be levied upon all taxable property in the City upon the tax roll of the year 2011 and upon the tax roll of each year thereafter while any of the Refunding Bonds shall be outstanding, an amount such that the estimated collections therefrom will be sufficient to pay promptly at maturity the principal and interest maturing on the Refunding Bonds prior to the time of the following year's tax collections. Taxes required to be levied to pay principal of and interest on the Refunding Bonds shall be levied without limitation as to rate or amount.

11. DEFEASANCE.

In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay, at maturity or irrevocable call for earlier optional redemption, the principal of, premium, if any, and interest on the Refunding Bonds, shall have been deposited in trust, this resolution

shall be defeased and the owners of the Refunding Bonds shall have no further rights under this resolution except to receive payment of the principal of, premium, if any, and interest on the Refunding Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange bonds as provided herein.

12. PRINCIPAL AND INTEREST FUND.

There shall be established for the Refunding Bonds a Principal and Interest Fund. From the proceeds of the sale of the Refunding Bonds there shall be set aside in the Principal and Interest Fund any accrued interest received from the Underwriter at the time of delivery of the same. The proceeds of the taxes (both current and delinquent) to be used to pay the principal and interest on the Refunding Bonds when due shall be deposited as collected in the Principal and Interest Fund and so long as the principal or interest on the Refunding Bonds remain unpaid, no moneys shall be withdrawn from such fund except to pay such principal and interest or to pay from any investment earnings on such fund the fees and expenses of the bond registrar and paying agent.

13. PAYMENT OF ISSUANCE EXPENSES -- ESCROW FUND.

The remainder of the proceeds of the Refunding Bonds shall be used, together with available moneys of the City, if any, to pay the issuance expenses of the Refunding Bonds and to establish an escrow fund for the 2003 Bonds To Be Refunded. After the issuance expenses have been paid or provided for the remaining proceeds and City moneys, if any, shall be used to establish an escrow fund (the “Escrow Fund”) consisting of cash and investments in direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America or other obligations the principal of and interest on which are fully secured by the foregoing and used to pay the principal of, interest on and redemption premiums on the 2003 Bonds To Be Refunded. The Escrow Fund shall be held by The Huntington National Bank, hereby appointed as escrow agent (the “Escrow Agent”), in trust pursuant to an escrow agreement (the “Escrow Agreement”) which irrevocably shall direct the Escrow Agent to take all necessary steps to pay the principal of and interest on the 2003 Bonds To Be Refunded when due prior to redemption and to call the 2003 Bonds To Be Refunded for redemption at such time as shall be determined in the Escrow Agreement. The City Manager shall approve the Escrow Agreement at the time of sale of the Refunding Bonds and shall be authorized to execute and deliver the Escrow Agreement for and on behalf of the City. The amounts held in the Escrow Fund shall be such that the cash and the investments and the income received thereon will be sufficient without reinvestment to pay the principal of, interest on and redemption premiums on the 2003 Bonds To Be Refunded when due at maturity or call for redemption as required by the Escrow Agreement.

14. APPROVAL OF DEPARTMENT OF TREASURY.

The issuance and sale of the Refunding Bonds shall be subject to permission being granted therefor by the Department of Treasury of the State of Michigan as provided in Act 34. If necessary, the City Manager is authorized to file an application with the Department of Treasury for approval of the Refunding Bonds.

15. SALE, ISSUANCE, DELIVERY, TRANSFER AND EXCHANGE OF REFUNDING BONDS.

The Refunding Bonds shall be sold pursuant to a negotiated sale to the Underwriter as hereinafter provided, and it is hereby determined that such negotiated sale is in the best interests of the City and is calculated to provide the maximum flexibility in pricing the Refunding Bonds. The City Manager is authorized to enter into a Bond Purchase Agreement with the Underwriter, which Bond Purchase Agreement shall set forth the 2003 Bonds To Be Refunded and the principal amount, principal maturities and dates, interest rates and interest payment dates, redemption provisions, if any, purchase price to be paid by the Underwriter with respect to the Refunding Bonds and such other terms and provisions as the City Manager determines to be necessary or appropriate in connection with the sale of the Refunding Bonds. The Bond Purchase Agreement and the terms of the Refunding Bonds set forth therein shall be approved by an order adopted by the City Manager at the time of the sale of the Refunding Bonds. The Mayor, the Clerk, the City Manager and the Treasurer are each hereby authorized to do all things necessary to effectuate the sale, issuance, delivery, transfer and exchange of the Refunding Bonds in accordance with the provisions of this resolution. In making the determination in the order authorizing the sale of the Refunding Bonds and in the Bond Purchase Agreement with respect to principal maturities and dates, interest rates, purchase price of the Refunding Bonds and compensation to be paid to the Underwriter, the City Manager shall be limited as follows:

a) The interest rate on any Refunding Bond shall not exceed 6% per annum.
b) The final maturity date of the Refunding Bonds shall not be later than October 1, 2020.
c) The present value of the savings (net of issuance costs) to be realized by the issuance of the Refunding Bonds shall be equal to or greater than 3% of the principal amount of the 2003 Bonds To Be Refunded.
d) The purchase price of the Refunding Bonds shall not be less than 98% of the principal amount thereof.
e) The Underwriter's discount with respect to the Refunding Bonds or the compensation to be paid to the Underwriter shall not exceed 1% of the principal amount of the Refunding Bonds.

16. REPLACEMENT OF BONDS.

Upon receipt by the City Clerk of proof of ownership of an unmatured Refunding Bond, of satisfactory evidence that the bond has been lost, apparently destroyed or wrongfully taken and of security or indemnity which complies with applicable law and is satisfactory to the City Clerk, the City Clerk may authorize the bond registrar and paying agent to deliver a new executed Refunding Bond to replace the Refunding Bond lost, apparently destroyed or wrongfully taken in compliance with applicable law. In the event an outstanding matured Refunding Bond is lost, apparently destroyed or wrongfully taken, the City Clerk may authorize the bond registrar and paying agent to pay the Refunding Bond without presentation upon the receipt of the same documentation required for the delivery of a replacement Refunding Bond. The bond registrar and paying agent, for each new Refunding Bond delivered or paid without presentation as provided above, shall require the payment of expenses, including counsel fees, which may be incurred by the bond registrar and paying agent and the City in the premises. Any Refunding Bond delivered pursuant to the provisions of this Section 16 in lieu of any Refunding Bond lost, apparently destroyed or wrongfully taken shall be of the same form and tenor and be secured in the same manner as the Refunding Bond in substitution for which such Refunding Bond was delivered.

17. TAX COVENANT.

The City covenants to comply with all applicable requirements of the Internal Revenue Code of 1986, as amended (the "Code"), necessary to assure that the interest on the Refunding Bonds will be and will remain excludable from gross income for federal income tax purposes. The Mayor, the Clerk, the City Manager, the Treasurer and other appropriate City officials are authorized to do all things necessary (including the making of such covenants of the City as shall be appropriate) to assure that the interest on the Refunding Bonds will be and will remain excludable from gross income for federal income tax purposes.

18. QUALIFIED TAX EXEMPT OBLIGATIONS.

The Refunding Bonds are hereby designated as "qualified tax exempt obligations" as described in Section 265(b)(3)(B) of the Code.

19. OFFICIAL STATEMENT.

The City Manager is authorized to cause the preparation of an official statement for the Refunding Bonds for the purpose of enabling compliance with Rule 15c2-12 issued under the Securities Exchange Act of 1934, as amended (the "Rule") and to do all other things necessary to enable compliance with the Rule. After the award of the Refunding Bonds, the City will provide copies of a "final official statement" (as defined in paragraph (e)(3) of the Rule) on a timely basis and in reasonable quantity as requested by the Underwriter to enable the Underwriter to comply with paragraph (b)(4) of the Rule and the rules of the Municipal Securities Rulemaking Board.

20. CONTINUING DISCLOSURE.

The Mayor and the City Clerk are hereby authorized to execute a certificate of the City to comply with the continuing disclosure undertaking of the City with respect to the Refunding Bonds pursuant to paragraph (b)(5) of the Rule, and amendments to such certificate from time to time in accordance with the terms of such certificate (the certificate and any amendments thereto are collectively referred to herein as the "Continuing Disclosure Certificate"). The City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate.

21. PROFESSIONAL SERVICES.

The following are appointed to act in the following capacities with respect to the Refunding Bonds:

As financial consultant:	Bendzinski & Co., Municipal Finance Advisors Detroit, Michigan
As Underwriter:	Fifth Third Securities, Inc. Cincinnati, Ohio
As bond counsel:	Dickinson Wright PLLC Bloomfield Hills, Michigan

22. CONFLICTING RESOLUTIONS.

All resolutions and parts of resolutions insofar as they may be in conflict herewith are hereby rescinded.

BE IT FINALLY RESOLVED, That Troy City Council hereby **APPROVES** this resolution **AUTHORIZING** the issuance of not to exceed $10,000,000 General Obligation Unlimited Tax Refunding Bonds, Series 2010B.

Yes: Kerwin, McGinnis, Slater, Schilling, Beltramini, Howrylak
No: None
Absent: Fleming

MOTION CARRIED

J. CONSENT AGENDA:

J-1a Approval of "I" Items NOT Removed for Discussion

Resolution #2010-08-179-J-1a
Moved by McGinnis
Seconded by Kerwin

RESOLVED, That Troy City Council hereby **APPROVES** all items on the Consent Agenda as presented.

Yes McGinnis, Slater, Schilling, Beltramini, Howrylak, Kerwin
No: None
Absent: Fleming

MOTION CARRIED

J-1b Address of "I" Items Removed for Discussion by City Council

J-2 Approval of City Council Minutes

Resolution #2010-08-179-J-2

RESOLVED, That Troy City Council hereby **APPROVES** the Minutes of the 7:30 PM Regular City Council Meeting of August 16, 2010 as submitted.

J-3 Proposed City of Troy Proclamations: None Submitted

J-4 Standard Purchasing Resolutions:

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

Resolution #2010-08-179-J-4a

WHEREAS, On October 5, 2009, Troy City Council awarded a one-year contract with an option to renew for one additional year for Tee Shirts to the low total bidder, Customs T's of Clawson, Michigan (Resolution #2009-10-301-F-4c); and

WHEREAS, On March 15, 2010, Troy City Council rescinded with prejudice the contract award to Custom T's and re-awarded the contract for Tee Shirts to the next lowest bidder, Impressive Promotional Products LLC of Clawson (Resolution #2010-03-070-I5); and

WHEREAS, Impressive Promotional Products LLC has agreed to exercise the one-year option to renew the contract under the same pricing, terms and conditions;

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council hereby exercises the option to renew the contract with Impressive Promotional Products LLC to provide Tee Shirts under the same prices, terms, and conditions for one additional year at unit prices contained in the bid tabulation opened September 2, 2009, to expire September 30, 2011.

J-5 City of Troy v. BG's LLC

Resolution #2010-08-179-J-5

RESOLVED, That the City of Troy City Council **APPROVES** the proposed Consent Judgment in the City of Troy v BG's L.L.C. condemnation case, and authorizes payment in the amounts stated therein, and further authorizes the City Attorney's Office to **EXECUTE** the document on behalf of the City of Troy, and a copy is to be **ATTACHED** to the original minutes of this meeting.

J-6 Application for a New SDM Liquor License – Super City Smoker's Express, LLC

Resolution #2010-08-179-J-6

WHEREAS, The LAC is an advisory committee of City Council; and

WHEREAS, The Liquor Advisory Committee (LAC) reviewed the application of Super City Smoker's Express, as well as supporting documentation and verbal representations made at its meetings and after deliberation, recommends denial of the application since the applicant has convictions for crimes of violence.

NOW, THEREFORE BE IT RESOLVED, That Troy City Council hereby **RECOMMENDS DENIAL** of the application from Super City Smoker's Express, L.L.C. for a new SDM License to be located at 2981 East Big Beaver, Troy, MI 48083, Oakland County, {MLCC Request #524881} and **DIRECTS** that a copy of this Resolution be forwarded to the MLCC.

J-7 Approval to Temporarily Waive Parking Restrictions

Resolution #2010-08-179-J-7

RESOLVED, That the City Council of the City of Troy does hereby waive the no parking restrictions on the East side of Northfield Parkway from the parking lot entrance to

Congregation Shir Tikvah to the entrance to Boulan Park, on Wednesday, September 8, 2010, 7:00 pm – 11:00 pm, Thursday, September 9, 2010, 9:00 am – 5:00 pm, Friday, September 17, 2010, 7:00 pm – 11:00 pm, Saturday, September 18, 2010, 9:00 am – 9:00 pm.

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings:

a) IDD & IFEC for Metro Technologies, Ltd., 1462 E. Big Beaver – Monday, September 13, 2010

b) IDD & IFEC for Sulzer Metco, Inc., 1972 Meijer – Monday, September 13, 2010

K-2 Memorandums (Items submitted to City Council that may require consideration at some future point in time):

a) Request to Schedule a Study Session with Barry Demp of Barry Demp Coaching

b) Adoption of Troy City Council Code of Ethics

L. COUNCIL REFERRALS:

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

L-1 No Council Referrals Advanced

M. COUNCIL COMMENTS

M-1 Council Comments

Council Member Kerwin thanked all the volunteers for their hard work during “Art on the Lake” this past weekend.

Council Member Beltramini reminded all that this week is Restaurant Week in Troy

N. REPORTS

N-1 Minutes – Boards and Committees:

a) Liquor Advisory Committee/ Final – June 14, 2010

b) Liquor Advisory Committee/Draft – August 9, 2010

Noted and Filed

N-2 Department Reports: None Submitted

N-3 Letters of Appreciation:

a) Letter to Stu Alderman from Jillian Cavellier, thanking Parks and Recreation for offering quality programs

b) Letter to Rick Shepler from Ed Kuefler, thanking Water Department employees for their assistance

Noted and Filed

N-4 Proposed Proclamations/Resolutions from Other Organizations:

a) Notice of Hearing for Gas Customers of Consumers Energy Company

Noted and Filed

O. STUDY ITEMS

O-1 Energy Efficiency and Conservation Block Grant

P. CLOSED SESSION:

P-1 Closed Session – None Requested

Q. ADJOURNMENT

The meeting **RECESSED** at 8:27 PM.

The meeting **RECONVENED** at 8:36 PM.

The meeting **ADJOURNED** at 9:28 PM.

Louise E. Schilling

Louise E. Schilling, Mayor

Tonni L. Bartholomew

Tonni L. Bartholomew, MMC
City Clerk