Pastor A.C. Phipps of Evanswood Church of God gave the Invocation. The Pledge of Allegiance to the Flag was given.

A. CALL TO ORDER:

A Regular Meeting of the Troy City Council was held Monday, October 4, 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
Martin Howrylak
Mary Kerwin
Maureen McGinnis
Dane Slater

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 Certificates of Recognition and Special Presentations Scheduled

a) A presentation was given by Marla J. Larsen-Williams, Real Estate Specialist with the United States Postal Service regarding Troy's main Post Office property.

D. CARRYOVER ITEMS:

D-1 No Carryover Items

Vote on Resolution to Suspend Rules of Procedure for the City Council, Rule #6 – *Order of Business*

Resolution #2010-10-209
Moved by Schilling
Seconded by Slater

RESOLVED, That Troy City Council hereby **SUSPENDS** Rules of Procedure for the City Council, Rule #6 *Order of Business* to take action on an item that does not appear on the Agenda.

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

MOTION CARRIED

Vote on Resolution to Reduce Public Comment, Rule #16 – *Members of the Public & Visitors*

Resolution #2010-10-210
Moved by Schilling
Seconded by Slater

RESOLVED, That Troy City Council hereby **REDUCES** Public Comment, Council Rule #16, *Members of the Public & Visitors*, from five minutes to three minutes at the request of the Chair and by majority vote of City Council members elect.

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

MOTION CARRIED

E. PUBLIC HEARINGS:

E-1 No Public Hearings Scheduled

F. PUBLIC COMMENT:

Julie Sigler:	Spoke in support of *Library Proposal I*.
Trudy Barone:	Spoke in support of *Library Proposal I*.
Audre Zembrzuski:	Raised unanswered questions in regard to library proposals.
Tyler Bouque:	Spoke in support of the library.
Gordon Schepke:	Spoke in opposition of all library proposals.
Paul Beck:	Spoke in opposition of any millage increase.
Wayne Stutzman:	Raised questions and expressed opposition to proposed ICMA study.
Marcella Doherty:	Spoke in support of *Library Proposal I*.
Marvin Reinhardt:	Discussed various topics related to the City of Troy.
Kevin Miller:	Spoke in support of *Library Proposal I*.
Susan Rothfuss:	Spoke in support of *Library Proposal I*.
Minesh Baxi:	Spoke in opposition of all library proposals and any millage increase.
Kim Yanchyschyn:	Spoke in support of *Library Proposal I*.
Edna Abrahim:	Spoke in support of *Library Proposal I*.
James Savage:	Spoke in opposition of Transit Center and any new taxes.
Sharon MacDonell:	Spoke in support of *Library Proposal I*.
Arjun Namineni:	Spoke in support of *Library Proposal I*.
Justin Coven:	Spoke in support of *Library Proposal I*.
Tim Burns: **County Commissioner District #19**	Provided an Oakland County update.
Thomas Burke:	Clarified his prior comments made in regard to the *Distracted Drivers* ordinance; spoke in support of *Troy Citizens United.*
Janice Daniels:	Raised questions in regard to the budget process; spoke in opposition of all library proposals; supports petition currently circulating offering another option for the library.
Edward Kempen:	Spoke in opposition of all four library proposals.

Tom Krent: Spoke in support of *Library Proposal I*.
Aaron Green: Future resident spoke in support of *Library Proposal I.*
Jeanne Stine: Spoke in support of *Library Proposal I*.
Rhonda Hendrickson: Spoke in support of *Library Proposal I*.

G. RESPONSE / REPLY TO PUBLIC COMMENT

The meeting **RECESSED** at 9:18 PM.

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

H. POSTPONED ITEMS:

H-1 No Postponed Items

I. REGULAR BUSINESS:

I-1 Appointments to Boards and Committees:

a) Mayoral Appointments: None Scheduled

b) City Council Appointments/Confirmation: None Scheduled

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

I-3 Request for Closed Session – None Requested

I-4 Winter Maintenance Agreement – Road Commission for Oakland County (RCOC)

Resolution #2010-10-211
Moved by Kerwin
Seconded by McGinnis

RESOLVED, That Troy City Council hereby **APPROVES** the 2010-2011 Winter Maintenance Agreement between the Road Commission for Oakland County (RCOC) and the City of Troy for Snow and Ice Control of nine segments of Priority I and Priority II county roads, which are described and outlined in Exhibit A; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the necessary documents, a copy of this agreement, which is authorized by the provisions of 1951 PA 51 (MCL 247.651 et seq.), shall be **ATTACHED** to the original Minutes of this meeting.

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

MOTION CARRIED

I-5 Consulting/Professional Services Agreement with the International City Management Association (ICMA)

Resolution
Moved by Slater
Seconded by McGinnis

RESOLVED, That Troy City Council hereby **AWARDS** an agreement for consulting / professional services with the International City Management Association (ICMA) of Washington, DC, not-to-exceed $208,360.00 including travel costs, in accordance with the Professional Services Agreement to be dated October 5, 2010, a copy of which shall be **ATTACHED** to the original Minutes of this meeting with the award **CONTINGENT** upon the contractor's submission of properly executed contract documents and all other specified requirements; and

BE IT FURTHER RESOLVED, That Troy City Council **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the documents on behalf of the City of Troy; and

BE IT FINALLY RESOLVED, That the General Fund Budget is **AMENDED** by increasing the Human Resources budget by $208,360.00 and that the source of funds will come from the Capital Projects Fund Local Roads budget.

Vote on Resolution to Amend Agenda Item I-5 Consulting/Professional Services Agreement with the International City Management Association (ICMA)

Resolution #2010-10-212
Moved by Beltramini
Seconded by Kerwin

RESOLVED, That Troy City Council hereby **AMENDS** the resolution for Agenda Item I-5 *Consulting/Professional Services Agreement with the International City Management Association (ICMA)* by **STRIKING "**BE IT FINALLY RESOLVED, That the General Fund Budget is **AMENDED** by increasing the Human Resources budget by $208,360.00 and that the source of funds will come from the Capital Projects Fund Local Roads budget."; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AMENDS** the resolution for Agenda Item I-5 *Consulting/Professional Services Agreement with the International City Management Association (ICMA)* by **INSERTING "**BE IT FURTHER RESOLVED, That the cost of these consulting services be absorbed by the departments being evaluated"; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **AMENDS** the resolution for Agenda Item I-5 *Consulting/Professional Services Agreement with the International City Management Association (ICMA)* by **INSERTING "**BE IT FINALLY RESOLVED, That City Council may **AMEND** the General Fund Budget to pay the remainder or general expenses not paid by the departments after delivery of the final report from the consultant."

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

MOTION CARRIED

Vote on Resolution for Agenda Item I-5 Consulting/Professional Services Agreement with the International City Management Association (ICMA) as Amended

Resolution #2010-10-213
Moved by Slater
Seconded by McGinnis

RESOLVED, That Troy City Council hereby **AWARDS** an agreement for consulting / professional services with the International City Management Association (ICMA) of Washington, DC, not-to-exceed $208,360.00 including travel costs, in accordance with the Professional Services Agreement to be dated October 5, 2010, a copy of which shall be **ATTACHED** to the original Minutes of this meeting with the award **CONTINGENT** upon the contractor's submission of properly executed contract documents and all other specified requirements; and

BE IT FURTHER RESOLVED, That Troy City Council **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the documents on behalf of the City of Troy; and

BE IT FURTHER RESOLVED, That the cost of these consulting services be absorbed by the departments being evaluated; and

BE IT FINALLY RESOLVED, That City Council may **AMEND** the General Fund Budget to pay the remainder or general expenses not paid by the departments after delivery of the final report from the consultant.

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

MOTION CARRIED

J. CONSENT AGENDA:

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

Resolution #2010-10-214
Moved by Beltramini
Seconded by Howrylak

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

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

MOTION CARRIED

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

J-2 Approval of City Council Minutes

Resolution #2010-10-214-J-2

RESOLVED, That Troy City Council hereby **APPROVES** the Minutes of the 6:30 PM Special City Council Meeting as submitted and the 7:30 PM Regular City Council Meeting of September 20, 2010 as amended.

J-3 Proposed City of Troy Proclamations: None Proposed

J-4 Standard Purchasing Resolutions:

a) Standard Purchasing Resolution 5: Approval to Expend Budgeted Funds

Resolution #2010-10-214-J-4a

1) Troy Community Coalition

RESOLVED, That Troy City Council hereby **APPROVES** the expenditure of funds budgeted in the 2010/2011 fiscal year to the *Troy Community Coalition* to provide community services to prevent drug and alcohol abuse in the amount of $50,000.00; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the agreements to fund these services, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

2) Common Ground

RESOLVED, That Troy City Council hereby **APPROVES** the expenditure of funds budgeted in the 2010/2011 fiscal year to *Common Ground* to provide community service programs to the residents of the City of Troy in the amount of $2,040.00; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the agreements to fund these services, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

3) HAVEN

RESOLVED, That Troy City Council hereby **APPROVES** the expenditure of funds budgeted in the 2010/2011 fiscal year to the *HAVEN Program* to provide community services to support victims of domestic assault for the residents of the City of Troy in the amount of $4,370.00; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the agreements to fund these services, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

4) Avondale Youth Assistance

RESOLVED, That Troy City Council hereby **APPROVES** the expenditure of funds budgeted in the 2010/2011 fiscal year to the *Avondale Youth Assistance* to provide counseling and community services to prevent youth offender recidivism to the residents of Troy who reside in the Avondale School District at a cost of $2,920.00 which shall be paid in one installment; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the agreements to fund these services, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

5) Troy Youth Assistance

RESOLVED, That Troy City Council hereby **APPROVES** the expenditure of funds budgeted in the 2010/2011 fiscal year to the Troy Youth Assistance to provide diversion programs and community services to the residents of the City of Troy at a cost of $17,080.00 which shall be paid in quarterly installments; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the agreements to fund these services, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-5 Application for New SDM License for San Marino Club, Inc.

a) New License

Resolution #2010-10-214-J-5a

RESOLVED, That Troy City Council hereby **CONSIDERS** for **APPROVAL** San Marino Club, Inc. for a New SDM License located at 1685-1695 East Big Beaver Road, Troy, MI 48083, Oakland County {MLCC Request #487689} “above all others”; and hereby **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the document, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

b) Agreement

Resolution #2010-10-214-J-5b

WHEREAS, The Troy City Council deems it necessary to enter into 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 San Marino Club, Inc. for a New SDM license located at 1685-1695 East Big Beaver Road, Troy, MI 48083, Oakland County {MLCC Request #487689} and hereby **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the document, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-6 Announcement of Public Hearing for October 18, 2010 – Community Development Block Grant (CDBG) 2011 Application

Resolution #2010-10-214-J-6

RESOLVED, That Troy City Council hereby **SCHEDULES** a Public Hearing at their Regular meeting on Monday, October 18, 2010 at 7:30 PM or as soon thereafter as the agenda will permit for the purpose of hearing public comments on the adoption of the Community Development Block Grant 2011 application in the approximate amount of $173,970.00 to fund eligible projects.

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings: No Announcements Forwarded

K-2 Memorandums (Items submitted to City Council that may require consideration at some future point in time): No Memorandums Forwarded

L. COUNCIL REFERRALS:

L-1 No Council Referrals Advanced

M. COUNCIL COMMENTS

M-1 Council Comments Advanced:

Mayor Schilling commented on the success of the Troy Fire Department's Annual Open House held on Sunday, October 3rd.

Council Member Beltramini provided information regarding the Michigan Municipal Leagues' *Center for Twenty-first Century Communities Report* and noted how it mirrors the *Vision 2020 Report*.

Council Member Kerwin recognized several Michigan communities for the innovative projects they submitted to participate in the Michigan Municipal Leagues' community excellence competition known as "The Race for the Cup."

N. REPORTS

N-1 Minutes – Boards and Committees:

a) Library Advisory Board – Final – June 10, 2010
b) Board of Zoning Appeals – Draft – July 20, 2010
c) Board of Zoning Appeals – Final – July 20, 2010
d) Liquor Advisory Committee Minutes – Final – August 9, 2010
e) Planning Commission Special/Study Meeting – Final – August 24, 2010
f) Planning Commission/Birmingham Planning Board Special/Joint - Draft – September 8, 2010
g) Liquor Advisory Committee – Draft – September 13, 2010

h) Planning Commission Regular Meeting – Draft – September 14, 2010
i) Board of Zoning Appeals – Draft – September 21, 2010
j) Board of Zoning Appeals/Study Session – Draft – September 21, 2010
k) Election Commission – Draft – September 23, 2010

Noted and Filed

N-2 Department Reports:

a) 2010 Third Quarter Litigation Report

Noted and Filed

N-3 Letters of Appreciation: No Letters of Appreciation

N-4 Proposed Proclamations/Resolutions from Other Organizations: None Forwarded

N-5 Communication from the State of Michigan Public Service Commission Regarding Notice of Hearing for the Natural Gas Customers of The Consumers Energy Company – Case No. U-16441

Noted and Filed

N-6 Library Proposals / Ordinance Initiative Petition

Noted and Filed

O. STUDY ITEMS:

O-1 No Study Items

P. CLOSED SESSION:

P-1 None Requested

ADJOURNMENT:

The meeting **ADJOURNED** at 10:04 PM.

Louise E. Schilling, Mayor

Tonni L. Bartholomew, MMC
City Clerk