

Pastor Talitha Pennington of Community of Christ – Troy Oaks Church 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, November 15, 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
Wade Fleming
Martin Howrylak
Mayor Pro Tem Mary Kerwin
Maureen McGinnis
Dane Slater

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 Certificates of Recognition and Special Presentations Scheduled

- a) On behalf of the City of Troy, Mayor Louise Schilling presented a proclamation to Pam Brady recognizing the America Recycles 2010 *“It All Comes Back to You”* program.

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 No Public Hearings Scheduled

F. PUBLIC COMMENT:

- Janice Daniels:** Spoke in opposition of salaries & benefits paid to City Management; spoke in support of allocating funding for the library.
- Audre Zembrzuski:** Spoke in opposition of a City Council member’s behavior at the November 8, 2010 City Council Meeting; requested more detailed information regarding agenda item N-7 *Additional Information on Streamlining Boards and Committees*.
- Tony Haddad:** Requested a formal investigation regarding the appearance of the Chief of Police in a candidate’s political advertisement.
- Ernest Smith:** Read formal written statements from neighbors affected by agenda item I-5 *Windmill Pointe Subdivision Public Walkway*; opposed to the construction of a concrete sidewalk.
- Tim Koerner:** Raised concerns regarding the operation of the library; spoke in support of keeping the library open.
- John Wells: Troy Chamber of Commerce** Troy resident and business owner asked that the city provide the public with factual information during the current declining economic
-

- Member conditions.
- Richard Peters:** Thanked the City's EMS for their recent assistance; discussed various other topics.
- James Savage:** Opposed to Downtown Development Authority's spending of tax payer dollars on various projects; raised concerns regarding costs associated with traffic signage on Big Beaver; opposed to payments made to consultants.
- Linda Kajma:** Supports current City Council; spoke in opposition of *Troy Citizens United*.
- Kelly Jones:** Supports the construction of a concrete sidewalk under agenda item I-5 *Windmill Pointe Subdivision Public Walkway*.
- Kelly Gross:** Supports the construction of a concrete sidewalk under agenda item I-5 *Windmill Pointe Subdivision Public Walkway*.
- Sharon MacDonell:** Spoke in opposition of tax fighters and *Troy Citizens United*; spoke in support of providing accurate information.
- Ellen Hodorek:** Spoke in support City Council and concerned about the challenges facing them; spoke in opposition of *Troy Citizens United*.
- Brad Kellman:** Spoke in support of increasing taxes if that is what the voters want to do to keep the library open.

G. RESPONSE / REPLY TO PUBLIC COMMENT

H. POSTPONED ITEMS:

H-1 Scheduling of a Special City Council Meeting – Purpose of Revising 2011/Future Budget – Referred by City Council Member Fleming at the Monday, November 8, 2010 Regular Meeting

Pending Resolution

Resolution

Moved by Fleming

Seconded by Beltramini

RESOLVED, That Troy City Council hereby **SCHEDULES** a Special Meeting on Monday, November 22, 2010 following the Regular Meeting, in the Council Boardroom of Troy City Hall, 500 W. Big Beaver, Troy, MI 48084 for the purpose of revising the 2011 budget and future year's budgets priorities.

Vote on Resolution to Amend Resolution to Schedule a Special City Council Meeting

Resolution

Moved by Fleming

Seconded by Beltramini

RESOLVED, That Troy City Council hereby **AMENDS** the resolution to *Schedule a Special Meeting* by **STRIKING** "November 22, 2010" and **INSERTING** "January 24, 2011".

Vote on Resolution to Amend Resolution to Schedule a Special City Council Meeting

Resolution #2010-11-251
Moved by Kerwin
Seconded by Schilling

RESOLVED, That Troy City Council hereby **AMENDS** the resolution to *Schedule a Special Meeting* by **STRIKING** “revising” and **INSERTING** “reviewing”.

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

MOTION FAILED

Vote on Resolution to Amend Resolution to Schedule a Special City Council Meeting

Resolution #2010-11-252
Moved by Fleming
Seconded by Beltramini

RESOLVED, That Troy City Council hereby **AMENDS** the resolution to *Schedule a Special Meeting* by **STRIKING** “November 22, 2010” and **INSERTING** “January 24, 2011”.

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

MOTION CARRIED

Vote on Resolution to Schedule a Special City Council Meeting as Amended

Resolution #2010-11-253
Moved by Fleming
Seconded by Beltramini

RESOLVED, That Troy City Council hereby **SCHEDULES** a Special Meeting on Monday, January 24, 2011 following the Regular Meeting, in the Council Boardroom of Troy City Hall, 500 W. Big Beaver, Troy, MI 48084 for the purpose of revising the 2011 budget and future year's budgets priorities.

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

MOTION CARRIED

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

Resolution #2010-11-254
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: Howrylak, Kerwin, McGinnis, Slater, Schilling, Beltramini, Fleming
No: None

MOTION CARRIED

Vote on Resolution to Schedule a Special Meeting

Resolution #2010-11-255
Moved by Schilling
Seconded by Fleming

RESOLVED, That Troy City Council hereby **SCHEDULES** a Special Meeting for Monday, January 17, 2011 at 6:00 PM in the Council Boardroom for the purpose of reviewing the *ICMA Report*.

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

MOTION CARRIED

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 Scheduling of Closed Session

Resolution #2010-11-256
Moved by Howrylak
Seconded by McGinnis

**Reconsidered:
Resolution #2010-11-260**

BE IT RESOLVED, That Troy City Council **SHALL MEET** in Closed Session as permitted by MCL 15.268 (c), Strategy for Labor Negotiations.

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

MOTION FAILED

Vote on Resolution to Schedule a Closed Session

Resolution #2010-11-257
Moved by Schilling
Seconded by Slater

BE IT RESOLVED, That Troy City Council **SHALL MEET** in Closed Session as permitted by MCL 15.268 (h) - MCL 15.243 - Attorney Client Communication.

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

MOTION CARRIED

I-4 Museum Operations Grant FY 2010/11 Budget Amendment

Resolution #2010-11-258
Moved by Kerwin
Seconded by Howrylak

RESOLVED, That Troy City Council hereby **ACCEPTS** the Kresge Foundation's *Detroit Arts Support* grant in the amount of \$40,000.00 awarded to the Troy Museum and Historic Village; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **ALLOCATES** the first payment of \$20,000.00, for the period of August 1, 2010 through July 31, 2011, to Museum operations to restore services eliminated through recent budget cuts.

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

MOTION CARRIED

Vote on Resolution to Reconsider Failed Motion to Schedule a Closed Session

Resolution #2010-11-259
Moved by Beltramini
Seconded by Kerwin

RESOLVED, That Troy City Council hereby **RECONSIDERS** Resolution #2010-11-256 to *Schedule a Closed Session*.

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

MOTION CARRIED

Vote on Reconsidered Resolution #2010-11-256 to Schedule a Closed Session

Resolution #2010-11-260
Moved by Howrylak
Seconded by McGinnis

BE IT RESOLVED, That Troy City Council **SHALL MEET** in Closed Session as permitted by MCL 15.268 (c), Strategy for Labor Negotiations.

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

MOTION CARRIED

I-5 Windmill Pointe Subdivision Public Walkway

Resolution #2010-11-261
Moved by Schilling
Seconded by Kerwin

RESOLVED, That Troy City Council hereby **AUTHORIZES** the construction of a concrete sidewalk and split rail fence connecting Renshaw Drive and Hill Elementary School, which abuts lots 108, 109 and 110 of Windmill Pointe Subdivision.

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

MOTION CARRIED

The meeting **RECESSED** at 9:10 PM

The meeting **RECONVENED** at 9:20 PM

J. CONSENT AGENDA:

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

Resolution #2010-11-262
Moved by Beltramini
Seconded by Fleming

RESOLVED, That Troy City Council hereby **APPROVES** all items on the Consent Agenda as presented with the exception of Item J-4, which **SHALL BE CONSIDERED** after Consent Agenda (I) items, as printed.

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

MOTION CARRIED

J-2 Approval of City Council Minutes

Resolution #2010-11-262-J-2

RESOLVED, That Troy City Council hereby **APPROVES** the Minutes of the Regular City Council Meeting of November 8, 2010 as submitted.

J-3 City of Troy Proclamation:

Resolution #2010-11-262-J-3

RESOLVED, That Troy City Council hereby **APPROVES** the following City of Troy Proclamation: American Recycles 2010 *“It All Comes Back to You.”*

J-5 Approval of Kitchen Use Agreement – Emerald Food Service, LLC

Resolution #2010-11-262-J-5

WHEREAS, Emerald Food Service, LLC is the provider of senior citizen nutritional services in contract with the Area Agency on Aging 1-B; and

WHEREAS, The City of Troy has agreed to allow use of the kitchen at the Community Center for the purpose of preparing these meals;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the *Kitchen Use Agreement*, and

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

J-6 City of Troy v. Ida Rudack Trust

Resolution #2010-11-262-J-6

RESOLVED, That Troy City Council hereby **APPROVES** the proposed Consent Judgment in the condemnation case of *City of Troy v. Ida Rudack Trust* (Oakland County Circuit Court Case No. 09-097974-CC) as placed on the table; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** payment in the amounts stated therein; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **AUTHORIZES** the City Attorney's office to **EXECUTE** the document on behalf of the City of Troy; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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

J-4 Standard Purchasing Resolution:

Standard Purchasing Resolution 4: Award – Macomb County Cooperative Purchasing Agreement – Fleet Vehicles

Resolution #2010-11-263

Moved by Kerwin

Seconded by Beltramini

RESOLVED, That Troy City Council hereby **AWARDS** a contract to purchase six (6) 2011 Ford Crown Victoria's from Signature Ford of Owosso, MI, through a Macomb County Cooperative Purchasing Agreement for an estimated total cost of \$126,822.00.

Yes: McGinnis, Slater, Schilling, Beltramini, Fleming, Howrylak, Kerwin

No: None

MOTION CARRIED

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings:

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

- a) Troy Nature Society – Startup Seed Money Request
Noted and Filed

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 Advanced:

Mayor Schilling reported that she attended the ribbon cutting ceremony for P3 North America, Inc. and discussed how maintaining confidentiality while collaborating with the different automotive entities contributed to their success and growth.

Council Member Beltramini asked City Management to determine if there is an alternative for recycling newspapers. Council Member Beltramini is concerned about lost revenue due to newspapers being removed from the recycling bins before the garbage carrier can pick them up.

Council Member Kerwin asked when Council can expect to receive information clarifying employee salaries and benefit packages in response to questions raised by the public.

City Manager Szerlag responded that a memorandum will be provided to City Council in the November 22, 2010 agenda packet.

N. REPORTS

N-1 Minutes – Boards and Committees:

- a) Advisory Committee for Senior Citizens-Final – September 2, 2010
- b) Library Advisory Board-Final – September 9, 2010
- c) Troy Youth Assistance-Final – September 16, 2010
- d) Planning Commission-Special/Study-Draft – October 26, 2010
- e) Advisory Committee for Senior Citizens-Draft – November 4, 2010

Noted and Filed

N-2 Department Reports:

- a) September 30, 2010 – Quarterly Financial Report
- b) Update of Multi-Year Budget Document
- c) Capital Projects Update
- d) Economic Development Activity Report – October 2010
- e) City of Troy Employees Retirement System *Forty-Sixth Annual Actuarial Valuation – Revised December 31, 2009* – Prepared by Gabriel Roeder Smith & Company
- f) Retirement System – *Summary Annual Report to Members – December 31, 2009*

Noted and Filed

N-3 Letters of Appreciation:

- a) Letter of Appreciation from Mary Physician to William Huotari for Responding to the Traffic Light Issue
- b) Letter of Appreciation from Pam Porter to William Huotari for Responding to the Traffic Light Issue at Butterfield and Todd
- c) Communication of Appreciation from Aaron King to the Police Department for Recent Patrols in a Subdivision Resulting in a Warrant Arrest
- d) Letters of Appreciation from Citizen's Police Academy Attendees
- e) Letter of Appreciation from Dorothy Willson to Aileen Bittner, City Clerk's Office, Regarding her Positive Experience Working as an Election Inspector for the November 2, 2010 General Election

Noted and Filed

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

N-5 Communication: State of Michigan-Notice of Hearing for the Electric Delivery and Supply Customers of the Detroit Edison Company--Case No. U-16472
Noted and Filed

N-6 Memorandum: Receipt of Petition – Addition to the Troy City Ordinance
Noted and Filed

N-7 Memorandum: Additional Information on Streamlining Boards and Committees
Noted and Filed

O. STUDY ITEMS

O-1 No Study Items

The meeting **RECESSED** at 9:38 PM.

The meeting **RECONVENED** at 9:46 PM.

P. CLOSED SESSION:

P-1 Strategy for Labor Negotiations and Attorney Client Communication

Q. ADJOURNMENT

The meeting **ADJOURNED** at 11:02 PM.


Louise E. Schilling, Mayor


Tonni L. Bartholomew, MMC
City Clerk