

Pastor Dan Lewis, Troy Christian Chapel, 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, June 20, 2011, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the meeting to order at 7:31 PM.

B. ROLL CALL:

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

Vote on Resolution to Excuse Council Member Robin Beltramini

Resolution #2011-06-133
Moved by Fleming
Seconded by McGinnis

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of Council Member Beltramini at the Regular City Council Meeting of June 20, 2011 due to family commitments.

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

MOTION CARRIED

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 Certificates of Recognition and Special Presentations

- a) On behalf of the City of Troy Employees' Casual for a Cause Program for the months of March and April 2011, Community Affairs Director Cindy Stewart presented a check in the amount of \$880.00 to the Troy Community Lions Club.
- b) On behalf of the City of Troy, Mayor Louise Schilling presented proclamations to honor Dedicated Volunteers, Staff and Consultants for the Master Plan and Zoning Ordinance.

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:**E-1 No Public Hearings****Vote on Resolution to Suspend Rules of Procedure for the City Council, Rule #6 – Order of Business**

Resolution #2011-06-134

Moved by Schilling

Seconded by Kerwin

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: Kerwin, McGinnis, Slater, Schilling

No: Fleming, Howrylak

Absent Beltramini

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

Resolution #2011-06-135

Moved by Schilling

Seconded by Kerwin

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: Kerwin, McGinnis, Slater, Schilling

No: Fleming, Howrylak

Absent: Beltramini

MOTION CARRIED**F. PUBLIC COMMENT:**

Peters, Richard	Spoke in support of keeping the library open and various topics.
Spillers, Ed	Spoke on behalf of the Troy Democratic Club in support of the library millage proposal and keeping the library open.
Yashinsky, Neil	Spoke in support of the library millage proposal and keeping the library open.
Martin, Susan S.	Spoke in support of the library millage proposal.
Reinhardt , Marvin	Spoke about various topics.
Kantamaneni, Vennela	Spoke in support of the keeping the library open and presented a cloth signed by students at her elementary school.

Ragan, John	Spoke about the development of the Troy Nature Society.
Kotubey, Jordan	Spoke in support of funding the library to promote lifelong learning.
Welch, Kathleen	Spoke in support of the library millage proposal.
D'Aoust, Allen	Spoke in support of the library millage proposal.
Brake, Dan	Spoke in opposition of City spending and leadership.
Savage, James,	Spoke in opposition of the cost incurred with utilizing.
Grix, E. James	Spoke in opposition of the library millage proposal.
Kajma, Linda	Spoke in support of the library millage proposal.
Kowalski, Roger	Spoke about the development of the Troy Nature Society.
Hodorek, Ellen	Spoke in support of the library millage proposal and the Communications Strategy.
Zembrzuski, Audre	Spoke in support of the library staff; opposition of the library millage proposal.

G. RESPONSE / REPLY TO PUBLIC COMMENT

H. POSTPONED ITEMS:

H-1 Approval of City Council Minutes

Resolution #2011-06-136

Moved by Howrylak

Seconded by Fleming

RESOLVED, That Troy City Council hereby **APPROVES** the following Minutes as amended.

a. Regular City Council Meeting of May 16, 2011

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

No: None

Absent: Beltramini

MOTION CARRIED

I. REGULAR BUSINESS:

I-1 Board and Committee Appointments: None Scheduled

I-2 Board and Committee Nominations: Brownfield Redevelopment Authority, Local Development Finance Authority

a) Mayoral Nominations

Resolution #2011-06-137

Moved by Schilling

Seconded by Kerwin

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

Brownfield Redevelopment Authority

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

James Campbell	Term Expires 04/30/2013
Robert Swartz	Term Expires 04/30/2014
Bruce Wilberding	Term Expires 04/30/2014
Ramzi Dalloo	Term Expires 04/30/2014
A. Allen Kneale	Term Expires 04/30/2014

Local Development Finance Authority (LDFA)

Appointed by Mayor (5-Regular) – Staggered 4 Year Term

Maureen Donohue Krauss	Oakland County Designee
John Sharp	Term Expires 06/30/2014
Nick Valente	Term Expires 06/30/2015
Robin Beltramini	Term Expires 06/30/2015

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

MOTION CARRIED

I-3 Request for Closed Session

Resolution #2010-06-138
 Moved by McGinnis
 Seconded by Slater

BE IT RESOLVED, That Troy City Council **SHALL MEET** in Closed Session, as permitted by MCL15.268 (c) - Labor Negotiations.

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

Absent: Beltramini

MOTION CARRIED

The Meeting **RECESSED** at 8:51 PM.
 The Meeting **RECONVENED** at 8:59 PM.

I-4 Financial Administration Services Agreement with Darling & Associates, C.P.A.

Resolution #2011-06-139
 Moved by Schilling
 Seconded by Slater

RESOLVED, That the Troy City Council authorizes the City Manager’s temporary engagement of Thomas E. Darling, Managing Partner of Darling and Associates, CPA, under the terms as set forth in the attached proposal.

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

MOTION CARRIED

I-5 Application Regarding Transfer of Club License for Clawson-Troy Elks Lodge No. 2169, Pending Final Inspections

Resolution #2011-06-140
 Moved by Kerwin
 Seconded by Howrylak

(a) Transfer Club License

RESOLVED, That Troy City Council hereby **CONSIDERS** for **APPROVAL** a liquor license request as indicated below, 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.

Liquor License Applicant :	Clawson-Troy Elks Lodge #2169
Type of License Requested :	Transfer location of escrowed 2011 Club Licensed Business with Dance Permit from 1451 East Big Beaver, Troy to 2549 Elliott, Troy
Located at :	2549 Elliott, Troy, MI 48083
MLCC Request # :	611134

and

(b) Agreement

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 the liquor license applicant named in the approved resolution above, 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.

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

MOTION CARRIED

I-6 2010/11 Budget Amendment No. 2

Resolution #2011-06-141
Moved by Kerwin
Seconded by McGinnis

RESOLVED, That Troy City Council hereby **APPROVES** the 2010/11 Budget Amendment No. 2 as submitted, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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

MOTION CARRIED

I-7 Agreement Between the City of Troy and the Troy Nature Society for Programming at the Lloyd A. Stage Nature Center

Resolution #2011-06-142
Moved by Slater
Seconded by Fleming

RESOLVED, That City Management recommends approval of an attached Agreement with the Troy Nature Society for a two (2) year period effective July 1, 2011-August 31, 2013, with an option to renew the Agreement for an additional two (2) year period. The Troy Nature Society proposes to offer limited programming for the months of July and August, 2011; and will try to continue with various programming thereafter.

NOW, THEREFORE, BE IT RESOLVED, That the Mayor and City Clerk are **AUTHORIZED** to **EXECUTE** the attached Agreement and a copy shall be **ATTACHED** to the original Minutes of this meeting.

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

No: None
Absent: Beltramini

MOTION CARRIED

I-8 Approval of a Communications Strategy RFP

Resolution #2011-06-143
Moved by Kerwin
Seconded by McGinnis

Option B:

WHEREAS, Troy City Council hereby adopted a Vision Statement and Goals on February 7, 2011, and directed City Administration to develop objectives to facilitate Council's goals for Council's consideration at a future date (Resolution #2011-02-023); and

WHEREAS, Troy City Council directed management and staff to develop a formal statement of qualifications / request for proposals in order to meet the City's Vision Statement and Goals;

NOW, THEREFORE, BE IT RESOLVED, That the Troy City Council hereby **AUTHORIZES** the release of RFP-COT 11-13, as amended, to solicit formal statement of qualifications/request for proposals for a communications strategy in order to meet the City's Vision Statement and Goals at an estimated total cost of \$100,000.00, the process which may take up to ninety (90) days to complete.

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

MOTION CARRIED**J. CONSENT AGENDA:**

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

Resolution #2011-06-144
Moved by Kerwin
Seconded by Howrylak

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

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

MOTION CARRIED

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

J-2 Approval of City Council Minutes

Resolution #2011-06-144-J-2

RESOLVED, That Troy City Council hereby **APPROVES** the following Minutes as submitted:

- a. Regular City Council Meeting of June 6, 2011

J-3 Proposed City of Troy Proclamations:

Resolution #2011-06-144-J-3

- a) Proclamation Celebrating 50 Years – Tony's Pizzeria and Family Restaurant
- b) Proclamation Honoring Dedicated Volunteers, Staff and Consultants for the Master Plan and Zoning Ordinance

J-4 Standard Purchasing Resolutions

- a) **Standard Purchasing Resolution 3: Option to Renew – General Consulting Engineering Services Contract**

Resolution #2011-06-144-J-4a

WHEREAS, On July 21, 2008, Troy City Council approved a three (3) year contract, effective through June 30, 2011, to provide General Consulting Engineering Services as required by the City and to assist the Engineering Department as needed, with the option to renew the contract for an additional three (3) year period under the same terms and conditions based on mutual consent of both parties, to the highest rated bidders as a result of a best value process, Hubbell, Roth and Clark, Inc., Spalding DeDecker Associates, Inc and Orchard Hiltz and McCliment, Inc, at rates contained in the bid tabulation opened June 18, 2008 (Resolution #2008-07-239-F-4b); and

WHEREAS, Hubbell, Roth & Clark, Inc. has offered to renew their contract for three (3) additional years under the same terms and conditions as the 2008 contract, except as provided by their revised pricing schedule, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

WHEREAS, Spalding DeDecker Associates, Inc. has offered to renew their contract for three (3) additional years under the same terms and conditions as the 2008 contract, except as provided by their revised pricing schedule, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

WHEREAS, Orchard Hiltz and McCliment, Inc. has offered to renew their contract for three (3) additional years under the same terms and conditions as the 2008 contract, except as provided by their revised pricing schedule, a copy of which shall be **ATTACHED** to the original Minutes of this meeting;

NOW, THEREFORE, BE IT RESOLVED, That the Troy City Council hereby **EXERCISES** the three-year option to renew the contracts for general consulting engineering services with Hubbell, Roth & Clark, Inc., Spalding DeDecker Associates, Inc., and Orchard Hiltz and McCliment, Inc. under the same terms and conditions as the 2008 contract, at their respective revised pricing schedules effective July 1, 2011 through June 30, 2014.

c) Standard Purchasing Resolution 1: Award to Low Bidder – Contract 11-4 – Northfield Hills Pavement Rehabilitation

Resolution #2011-06-144-J-4c

RESOLVED, That contract No. 11-4, Northfield Hills Pavement Rehabilitation, be awarded to ProLine Asphalt Paving, 11797 29 Mile Road, Washington, MI 48095 for their low total bid amount of \$564,139.58.

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon submission of proper contract and bid documents, including bonds, insurance certificates and all specified requirements, and if additional work is required such additional work is **AUTHORIZED** in an amount not to exceed 25% of the total project cost.

J-5 Robert and Michelle Riddle v. City of Troy

Resolution #2011-06-144-J-5

RESOLVED, That the City Attorney is hereby **AUTHORIZED** and **DIRECTED** to represent the City of Troy in any and all claims and damages in the matter of *Robert Riddle and Michelle Riddle v. City of Troy* (Oakland County Circuit Court Case No. 11-119346-NO). Furthermore, the City Attorney is **AUTHORIZED** to pay necessary costs and expenses and to retain any necessary expert witnesses to adequately represent the City.

J-6 Lamar Advertising of Michigan v. City of Troy

Resolution #2011-06-144-J-6

RESOLVED, That the City Attorney is hereby **AUTHORIZED** and **DIRECTED** to represent the City of Troy in any and all claims and damages in the matter of *Lamar Advertising of Michigan Inc. v. City of Troy* (Oakland County Circuit Court Case No. 11-119339 AA). Furthermore, the City Attorney is **AUTHORIZED** to pay necessary costs and expenses and to retain any necessary expert witnesses to adequately represent the City.

J-7 Private Agreement – First Baptist Church of Troy Lot Improvements Project No. 09.903.3

Resolution #2011-06-144-J-7

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and First Baptist Church of Troy, is hereby **APPROVED** for the installation of Storm Sewer and Detention Basin on the site and in the adjacent right of way, and the Mayor and City Clerk are **AUTHORIZED** to **EXECUTE** the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-4 Standard Purchasing Resolutions

b) Standard Purchasing Resolution 6: Grant Approval and Authorization to Expend City Funds – MACP Grant Award – Traffic Crash Investigation Software and Motorcycle Radar Unit Purchases

Resolution #2011-06-145

Moved by Kerwin

Supported by Fleming

RESOLVED, That the Troy City Council hereby **AUTHORIZES** the Troy Police Department to receive a Michigan Association of Chiefs of Police (MACP) Grant and expend City funds for the purchase of the Total Station Data Collector equipment including necessary accessories from Visual Statements and to purchase four (4) motorcycle RADAR units from Kustom Signals, Inc as detailed in Appendix I, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, for an estimated total cost of \$17,438.35.

BE IT FURTHER RESOLVED, That the Police Department budget is hereby **AMENDED** to receive the grant funding of \$15,000.00 and that the remaining cost of the equipment in the amount of \$2,438.35 will be paid from available funds in the Police department operating accounts.

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

No: None

Absent: Beltramini

MOTION CARRIED

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings:

- a) Announcement of Public Hearings – July 25, 2011 - Industrial Development District (IDD) and Transfer of Industrial Facilities Exemption Certificate (IFEC) from Madison Heights, and new Industrial Facilities Exemption Certificate (IFEC) for US Farathane Corporation at 754 W. Maple
- b) Announcement of Public Hearing – July 11, 2011 – Rezoning Application (File Number Z 738) – East Side of Stephenson, North of Fourteen Mile (466 Stephenson Highway), Section 35 – From RC Research Center to OM Office Mixed Use

K-2 Memorandums (Items submitted to City Council that may require consideration at some future point in time): None Submitted

L. COUNCIL REFERRALS:

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

L-1 Mayor Schilling's Request to Meet in Closed Session on July 11, 2011 and July 25, 2011 for the Annual Performance Evaluations of the City Attorney and City Manager

a) Closed Session for Annual Performance Evaluation of the City Manager

Resolution #2011-06-146

Moved by Schilling

Seconded by Fleming

RESOLVED, That Troy City Council hereby **APPROVES** a Closed Session for Monday, July 25th, 2011 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: Slater, Schilling, Fleming, Howrylak, Kerwin, McGinnis

No: None

Absent: Beltramini

MOTION CARRIED

b) Closed Session for Annual Performance Evaluation of the City Attorney

Resolution #2011-06-147

Moved by Schilling

Seconded by Fleming

RESOLVED, That Troy City Council hereby **APPROVES** a Closed Session for Monday, July 11th, 2011 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: Slater, Schilling, Fleming, Howrylak, Kerwin, McGinnis

No: None

Absent: Beltramini

MOTION CARRIED

L-2 Mayor Schilling's Request for a Content Neutral Flyer for the August 2nd Election

Resolution #2011-06-148

Moved by Schilling

Seconded by Kerwin

RESOLVED, That Troy City Council hereby **APPROVES** the August 2, 2011 Special Election Informational Proposed Library Millage Ballot Question Brochure as amended by **STRIKING** the closure date "Friday, August 12, 2011" and **INSERTING** "Friday, August 5, 2011" and **STRIKING** the Library informational box on page two (2) in its entirety and **INSERTING** "For more information on the Troy Public Library, visit www.troylibrary.info," a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **DIRECTS** City Administration to mail the August 2, 2011 Special Election Informational Proposed Library Millage Ballot Question Brochure to all Troy households.

Yes: Schilling, Kerwin, McGinnis, Slater

No: Fleming, Howrylak

Absent: Beltramini

MOTION CARRIED**M. COUNCIL COMMENTS**

M-1 Council Comments

Mayor Schilling announced that she will give her State of the City Address for the residents on July 13, 2011 at 7:00 PM at the Troy Community Center.

Mayor Schilling discussed the Special Meeting scheduled for Tuesday, June 21, 2011 at 10:00 AM in the Council Boardroom to speak with Members of the Business Community.

Mayor Pro Tem Kerwin discussed providing an opportunity for the business community to have casual conversations regarding business and library matters without the need for quorum of City Council.

N. REPORTS

N-1 Minutes – Boards and Committees:

a) Planning Commission-Special/Study/Draft – May 24, 2011

b) Planning Commission-Special/Study/Final – May 24, 2011

c) Liquor Advisory Committee-Draft – June 13, 2011

Noted and Filed

N-2 Department Reports: None Submitted

Noted and Filed

N-3 Letters of Appreciation:

- a) Letter of Appreciation from De Ji Rong to Chief Mayer Thanking Troy Police Officers Daniels, Morse and Strong for Assistance
Noted and Filed

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- N-4 Proposed Proclamations/Resolutions from Other Organizations: None Proposed**
Noted and Filed

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- N-5 Reduction in Service Delivery – Planning Department**
Noted and Filed

O. STUDY ITEMS

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- O-1 No Study Items Presented**

P. CLOSED SESSION:

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- P-1 Closed Session**

Q. ADJOURNMENT

The meeting **ADJOURNED** at 10:11 PM.



Mayor Louise E. Schilling



M. Aileen Bittner
Deputy City Clerk