

Pastor A.C. Phipps from 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, September 12, 2011, 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

- a) Proclamation – Patriot Week September 11 – 17, 2011
- b) Proclamation in Recognition of James and Betty Savage on the Occasion of Their 60<sup>th</sup> Anniversary

### D. CARRYOVER ITEMS:

#### D-1 No Carryover Items

### E. PUBLIC HEARINGS:

#### E-1 No Public Hearings

### F. PUBLIC COMMENT:

Peters, Richard	Spoke about various topics.
Henderson, Dave	Spoke about the City budget issues.
Bloomingtondale, Bruce	Spoke of his memory of 9/11/2001 and shared his appreciation of all first responders.
Kaszubski, Cheryl	Spoke about the Troy Family Daze Festival.
Bernardi, Mary Ann	Spoke about the snow removal policy.
Graczyk, Ed	Honored persons who lost their lives on 9/11/2011 and the police, fire, military personnel who served on that day and now; also, spoke against tax increase.
Hodorek, Ellen	Spoke about the City budget issues and the mistrust created by members of the community.
Arvant, Peter	Spoke on behalf of Troy Chamber of Commerce to express support of the Troy Multi-Modal Transit Facility.

**G. RESPONSE / REPLY TO PUBLIC COMMENT****H. POSTPONED ITEMS:**

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**H-1 No Postponed Items****I. REGULAR BUSINESS:**

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**I-1 Board and Committee Appointments: None Scheduled**

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**I-2 Board and Committee Nominations: None Scheduled**

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**I-3 Request for Closed Session – No Closed Session Requested**

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**I-4 Confirmation of Appointment of Aileen Bittner as City Clerk**

Resolution #2011-09-207

Moved by Schilling

Seconded by Howrylak

WHEREAS, Aileen Bittner has fulfilled all requirements of the Certified Municipal Clerk (CMC) program of the International Institute of Municipal Clerks (IIMC);

THEREFORE, BE IT RESOLVED, That Troy City Council **CONFIRMS** the City Manager's Appointment of Aileen Bittner as City Clerk.

Yes: All-7

No: None

**MOTION CARRIED**

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**I-5 Bid Waiver – Casualty and Property Insurance – Two (2) Year Renewal with the Michigan Municipal Risk Management Authority (MMRMA) for November 2011-2012 and November 2012-2013**

Resolution #2011-09-208

Moved by McGinnis

Seconded by Kerwin

WHEREAS, On April 18, 2011, City Council authorized City management to negotiate a new agreement for Casualty and Property Insurance with the Michigan Municipal Risk Management Authority (MMRMA) (Resolution #2011-04-085-J-5); and

WHEREAS, The MMRMA has provided an exceptional offer of a two-year agreement under the same terms and conditions as the previous agreement; and

WHEREAS, The agreement includes a 21.9% net decrease in the first year (2011/2012) and a not-to-exceed 5% premium increase in the second year (2012/2013) offset by any net asset distribution check received;

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council hereby **WAIVES** formal bidding procedures and **EXERCISES** the new agreement with the MMRMA to provide Casualty and Property Insurance for a premium of \$333,347 in 2011/2012, and a not to exceed premium of \$350,014 in 2012/2013.

BE IT FINALLY RESOLVED, This contract also includes the maintenance of a positive loss fund balance of up to \$150,000 expiring November 7, 2013.

Yes: All-7  
No: None

### MOTION CARRIED

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#### I-6 Standard Purchasing Resolution 8: Best Value Award - Communications Strategy

Resolution #2011-09-209  
Moved by Kerwin  
Seconded by McGinnis

RESOLVED, That Troy City Council hereby **AWARDS** a contract to develop a comprehensive communications strategy to Marketing Associates of Detroit, MI, the firm with the highest score as a result of a best value process from the formal solicitation identified as RFP-COT 11-13, as amended on June 20, 2011, which the Troy City Council determines to be in the public interest at an estimated total cost of \$100,000.00 including reimbursables not-to-exceed \$5,000.00, in accordance with the schedule of values attached as Appendix I.

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon the firm's submission of properly executed proposal and contract documents, including insurance certificates, and all other specified requirements; and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** an Agreement when in acceptable form.

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

### MOTION CARRIED

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#### I-7 Approval of MDOT Capital Contract for the Troy Multi-Modal Transit Facility, MDOT Contract No. 2011-0231, Project No. 113143

Resolution #2011-09-210  
Moved by Schilling  
Seconded by Beltramini

WHEREAS, A 2.41 acre site was deeded to the City of Troy as part of a Consent Judgment, with the condition that it be developed as a transit facility;

WHEREAS, The City of Troy received a \$8,485,212 federal grant to fund the transit facility project through the American Recovery and Reinvestment Act (ARRA) High-Speed Intercity Passenger Rail (HSIPR) Program, Federal Rail Administration (FRA), secured through a TIGER grant; and

WHEREAS, The City of Troy received a \$1,300,000 Federal Congressional Bus & Bus Facilities earmark to fund the project through the Federal Transit Administration (FTA), secured by Congressman Gary Peters; and

WHEREAS, The facility will be served by AMTRAK and the Suburban Mobility Authority for Regional Transportation (SMART), which will utilize the Troy Multi-Modal Transit Facility as a central hub for their bus network; and

WHEREAS, The Troy Multi-Modal Transit Facility complements transit oriented initiatives throughout southeast Michigan, including the Woodward Light Rail and Detroit Region Aerotropolis projects; and

WHEREAS, Studies show that investment in public transit yields economic benefit to the surrounding area; and

WHEREAS, Public transportation provides transportation options, allows for mobility for underserved populations, provides congestion mitigation, creates jobs, assists in retaining young talent and helps regions to be competitive in the global economy.

THEREFORE BE IT RESOLVED, That Troy City Council hereby **APPROVES** MDOT Capital Contract No. 2011-0231 between the City of Troy and the Michigan Department of Transportation for the final design and construction of the Troy Multi-Modal Transit Facility at an estimated cost to the City of Troy of \$0.00, and **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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

## MOTION CARRIED

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### **I-8 Proposed Amendment to the Three Year Budget; Retention of Two Sergeants and Two Police Officers**

Resolution #2011-09-211  
Moved by Schilling  
Seconded by McGinnis

WHEREAS, The Early Retirement Incentive Program/Concession initiative not only reduced reliance on Fund Balance, but also created projected revenues exceeding projected expenditures for the first two years of the three year budget; and

WHEREAS, The International City/County Management Association (ICMA) in their organizational restructuring and economic sustainability study indicates that the police department will not be sustainable unless four of the thirty eight sworn positions slated for elimination are retained;

THEREFORE, BE IT RESOLVED, That Troy City Council **APPROVES** the City Manager’s recommendation to incorporate these four police department positions in the three year budget.

Yes: All-7  
No: None

**MOTION CARRIED**

**J. CONSENT AGENDA:**

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

Resolution #2011-09-212  
Moved by Beltramini  
Seconded by Kerwin

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

Yes: All-7  
No: None

**MOTION CARRIED**

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**J-1b Address of “J” Items Removed for Discussion by City Council**

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**J-2 Approval of City Council Minutes**

Resolution #2011-09-212-J-2a

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

- a) Regular City Council Meeting of August 29, 2011

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**J-3 Proposed City of Troy Proclamations: None Submitted**

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**J-4 Standard Purchasing Resolutions**

- a) **Standard Purchasing Resolution 1: Award to Low Bidder – Contract 11-3 – Section 35 Pavement Rehabilitation**

Resolution #2011-09-212-J-4a

RESOLVED, That contract No. 11-3, Section 35 Pavement Rehabilitation, be **AWARDED** to Ajax Paving Industries, Inc., 830 Kirts Blvd., Suite 100, Troy, MI 48084 for their low total bid amount of \$860,776.00; and

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.

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**J-5 Request for Acceptance of a Sanitary Sewer Easement from Cornerstone Village 1, LLC – Sidwell #88-20-27-201-049**

Resolution #2011-09-212-J-5

RESOLVED, That Troy City Council hereby **ACCEPTS** the sanitary sewer easement from Cornerstone Village 1, LLC, owner of the property having Sidwell #88-20-27-201-049; and

BE IT FURTHER RESOLVED, That the City Clerk is hereby **DIRECTED** to record the easement with the Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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**J-6 Request to Temporarily Waive Parking Restrictions**

Resolution #2011-09-212-J-6

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 28, 2011, 7:00 pm – 11:00 pm, Thursday, September 29, 2011, 9:00 am – 5:00 pm, Friday, October 7, 2011, 7:00 pm – 11:00 pm, and Saturday, October 8, 2011, 9:00 am – 9:00 pm.

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**J-7 Request for Recognition as a Nonprofit Organization Status from Ann Walsh – Morse Elementary School PTO**

Resolution #2011-09-212-J-7

RESOLVED, That Troy City Council hereby **APPROVES** the request from Morse Elementary School PTO asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining a charitable gaming license as recommended by City Management.

**K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:**

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**K-1 Announcement of Public Hearings: None Submitted**

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**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

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**L-1 Council Referrals: None Submitted****M. COUNCIL COMMENTS**

Council Member Beltramini discussed the need for boards & committee appointments/re-appointments.

Mayor Schilling spoke about the late submittal regarding other communities and the status of their fund balances.

Council Member Kerwin spoke about developing "green" ordinances.

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**M-1 No Council Comments Advanced****N. REPORTS****N-1 Minutes – Boards and Committees:**

- a) Election Commission-Final-June 29, 2011
  - b) Planning Commission-Final-August 9, 2011
  - c) Election Commission-Draft-September 1, 2011  
Noted and Filed
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**N-2 Department Reports: None Submitted**  
Noted and Filed**N-3 Letters of Appreciation:**

- a) Letter of Appreciation from John Siedlik and Erin Whaley of Binson's Home Health Care Centers to the Troy Fire Department
  - b) Letter of Appreciation from John F. Myszak, III, of Somerset Collection to Chief Mayer, Thanking Sgt. Szuminski, Officer Morgan and Officer Bordo  
Noted and Filed
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**N-4 Proposed Proclamations/Resolutions from Other Organizations: None Submitted**  
Noted and Filed**N-5 Notice of Hearing for the Gas Customers of Consumers Energy Company Case No. U-16149-R**  
Noted and Filed**N-6 Resolution #11097 – Oakland County Board of Commissioners – Support for Amending MCL 168-449(3) to Eliminate the Requirement that Local Clerks Send Corrected Voter Identification Cards Due to Redistricting Resulting from the Decennial Census**  
Noted and Filed

**O. STUDY ITEMS**

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**O-1 Study Item**

**P. CLOSED SESSION:**

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**P-1 No Closed Session Requested**

**Q. ADJOURNMENT**

The meeting **RECESSED** at 9:22 PM.

The meeting **RECONVENED** at 9:30 PM.

The meeting **ADJOURNED** at 10:30 PM.

  
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Mayor Louise E. Schilling

  
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M. Aileen Bittner  
City Clerk