

Pastor Talitha Pennington from Community of Christ-Troy Oaks 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 17, 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

- b) Cindy Stewart Presented a Check for \$600.05 to Mary Ellen Kearney with Cystic Fibrosis Foundation on behalf of the City of Troy Employees' Casual for a Cause for July and August, 2011**
- c) Mayor Schilling Presented a Proclamation Celebrating Troy Community Coalition 20th Anniversary & Appointment of Nancy Morrison as Executive Director**
- a) Mayor Schilling Presented a Proclamation Celebrating the 2011 State Competition Trophy, for the Ninth Consecutive Year, to the Troy Police Pistol Team – Sergeant Wolfe, Sergeant Nastasi, Officer Bragg, Officer Cascioli, Officer Fitzpatrick, Officer Minton, Officer Stansbury and Officer Stopczynski**

D. CARRYOVER ITEMS:

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- D-1 No Carryover Items**

E. PUBLIC HEARINGS:

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- E-1 Public Hearing for the Establishment of an Industrial Development District (IDD) for Dialogue Marketing, Inc. at 300 E. Big Beaver**

The Mayor **OPENED** the Public Hearing.

The Mayor **CLOSED** the Public Hearing after receiving no public comment.

Resolution #2011-10-231

Moved by Kerwin

Seconded by Fleming

RESOLVED, That Troy City Council hereby **ESTABLISHES** an Industrial Development District (IDD) for property known as 300 E. Big Beaver, Troy, MI. 48083, Parcel #88-20-27-126-027, in accordance with City Council Policy Resolution #2010-08-173; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to forward a copy of this resolution to the State Tax Commission, Treasury Building, P.O. Box 30471, Lansing, MI 48909-7971.

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

No: Howrylak

MOTION CARRIED

E-2 Public Hearing for the Granting of an Industrial Facilities Exemption Certificate (IFEC) for Dialogue Marketing, Inc. at 300 E. Big Beaver

The Mayor **OPENED** the Public Hearing.

The Mayor **CLOSED** the Public Hearing after receiving public comment from Marvin Reinhardt and Richard Peters.

Resolution #2011-10-232

Moved by McGinnis

Seconded by Slater

WHEREAS, After due notice and proper hearing, the City Council of the City of Troy on October 17, 2011, established an Industrial Development District (IDD) for property known as 300 E. Big Beaver, Troy, MI. 48083, Parcel # 88-20-27-126-027; and

WHEREAS, An Application has been submitted by Dialogue Marketing, Inc., for an Industrial Facilities Exemption Certificate (IFEC) for personal property at 300 E. Big Beaver, Troy, MI. 48083, for eight (8) years; and

WHEREAS, After due and proper notice by the City Clerk, the City Council, on October 17, 2011, held a Public Hearing giving opportunity for comment by all taxing units as to the possibility that the granting of an Industrial Facilities Exemption Certificate (IFEC) for Dialogue Marketing, Inc., at 300 E. Big Beaver, Troy, MI. 48083 may have the effect of substantially impeding the operation of the taxing unit, or impairing the financial soundness of the taxing unit; and

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Troy, after granting this certificate will not exceed 5% of an amount equal to the sum of the SEV of the City of Troy, plus the SEV of real and personal property thus exempted;

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council has **FOUND THAT THE GRANTING** of an Industrial Facilities Exemption Certificate (IFEC) for Dialogue Marketing, Inc., at 300 E. Big Beaver, Troy, MI. 48083 shall not substantially impede the operation of the City of Troy or the other taxing units, **NOR HAS IT BEEN FOUND THAT THE GRANTING** of the Industrial Facilities Exemption Certificate (IFEC) will impair the financial soundness of the City of Troy, or the other taxing units which levy taxes on said property; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** the application to for an Industrial Facilities Exemption Certificate (IFEC) for Dialogue Marketing, Inc., at 300 E. Big Beaver, Troy, MI. 48083, Parcel # 88-20-27-126-027, for personal property for a term of eight (8) years, after completion, **CONTINGENT** upon the execution of a Letter of Agreement between the City of Troy and Dialogue Marketing, Inc., and the payment of the fees in accordance with Public Act 198 of 1974, as amended; and

BE IT FURTHER RESOLVED, That the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the Letter of Agreement between the City of Troy and Dialogue Marketing, Inc., a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

BE IT FINALLY RESOLVED, That the City Clerk is hereby **AUTHORIZED TO COMPLETE** the Application and **TRANSMIT** same to the State Tax Commission, Treasury Building, P.O. Box 30471, Lansing, MI. 48909-7971.

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

MOTION CARRIED

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

Resolution #2011-10-233
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, Beltramini
No: Fleming, Howrylak

MOTION CARRIED

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

Resolution #2011-10-234
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, Beltramini
No: Howrylak, Fleming

MOTION CARRIED

F. PUBLIC COMMENT:

Schepke, Gordon	Spoke about Council Members Howrylak and Beltramini.
Zembrzuski, Audre	Spoke about the Community Center.
Peters, Richard	Spoke about various topics.
Yashinsky, Neil	Spoke about the Troy Community Coalition.
Ragan, John	Gave an update on the Troy Nature Society.
Henderson, Dave	Spoke about City Council Members.
Werpetinski, Jim	Spoke about City Council Member Howrylak.
Daniels, Janice	Spoke about recent community events.
Murrish, Dale	Spoke about City Council Member Howrylak.
Reinhardt , Marvin	Spoke about various topics.
Grix, E. James	Spoke about various topics.
Savage, James	Spoke about City Council Members.
Scarchilli, Mike	Spoke about a personal/police matter.
Kajma, Linda	Spoke about political groups.
Abraham, Edna	Spoke about candidates for the November General Election.
Martin, Susan	Spoke about candidates for the November General Election.
Hodorek, Ellen	Spoke about the City Council Members and the candidates for the November General Election.
Cruz, Anthony P.	Spoke about City Council Members.

G. RESPONSE / REPLY TO PUBLIC COMMENT

The meeting **RECESSED** at 8:43 PM.

The meeting **RECONVENED** at 8:56 PM.

H. POSTPONED ITEMS:

H-1 No Postponed Items

I. REGULAR BUSINESS:

I-1 Board and Committee Appointments

a) Mayoral Appointments: Downtown Development Authority; Economic Development Corporation

Moved by Schilling
 Seconded by Kerwin

RESOLVED, That the Mayor of the City of Troy hereby **APPOINTS** the following persons to serve on the Boards and Committees as indicated:

Downtown Development Authority**Appointed by Mayor (13-Regular) – 4-Year Term**Ernest Reschke (At Large)

Term Expires 09/30/2014

Douglas Schroeder (At Large)

Term Expires 09/30/2014

Ward Randol (In District)

Term Expires 09/30/2014

Economic Development Corporation**Appointed by Mayor (9-Regular) – 6-Year Term**Charles Salgat

Term Expires 04/30/2016

Mark Miller

Term Expires 04/30/2017

Vote on Resolution to Separate Item I-1a Mayoral Appointments: Downtown Development Authority; Economic Development Corporation

Resolution #2011-10-235

Moved by Howrylak

Seconded by Fleming

RESOLVED, That Resolution *I-1a Mayoral Appointments: Downtown Development Authority; Economic Development Corporation* is hereby **SEPARATED** Pursuant to Direction of City Council and will be voted on individually.

Yes: All-7

No: None

MOTION CARRIED**a) Mayoral Appointments: Downtown Development Authority**

Resolution #2011-10-236

Moved by Schilling

Seconded by Kerwin

RESOLVED, That the Mayor of the City of Troy hereby **APPOINTS** the following persons to serve on the Boards and Committees as indicated:

Downtown Development Authority**Appointed by Mayor (13-Regular) – 4-Year Term**Ernest Reschke (At Large)

Term Expires 09/30/2014

Douglas Schroeder (At Large)

Term Expires 09/30/2014

Ward Randol (In District)

Term Expires 09/30/2014

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

No: Howrylak

MOTION CARRIED

a) **Mayoral Appointments: Economic Development Corporation**

Resolution #2011-10-237

Moved by Schilling

Seconded by Kerwin

RESOLVED, That the Mayor of the City of Troy hereby **APPOINTS** the following persons to serve on the Boards and Committees as indicated:

Economic Development Corporation

Appointed by Mayor (9-Regular) – 6-Year Term

Charles Salgat

Term Expires 04/30/2016

Mark Miller

Term Expires 04/30/2017

Yes: All-7

No: None

MOTION CARRIED

b) **City Council Appointments: Animal Control Appeal Board; Charter Revision Committee; Election Commission; Historic District Commission; Liquor Advisory Committee; Municipal Building Authority; Parks and Recreation Board; Personnel Board; Traffic Committee; Zoning Board of Appeals**

1. **Reconsidered Motion:**

Resolution #2011-10-238

Moved by Beltramini

Seconded by McGinnis

RESOLVED, That the attached Resolution #2011-10-227, moved by Kerwin and seconded by McGinnis, be **RECONSIDERED** by City Council in order to adjust term expiration dates in the Charter Revision Committee, Liquor Advisory Committee, and Parks and Recreation Board.

Yes: All-7
 No: None

MOTION CARRIED

2. Resolution to Amend City Council Nominations

Resolution #2011-10-239
 Moved by Kerwin
 Seconded by McGinnis

RESOLVED, That Troy City Council hereby **AMENDS** the attached Reconsidered Resolution #2011-10-227, to adjust Term Expiration Dates in the nominations for Charter Revision Committee, Liquor Advisory Committee and Parks and Recreation Board in order to maintain continuity of terms, as presented.

Yes: All-7
 No: None

MOTION CARRIED

3) Amended Resolution – City Council Nominations

Resolution #2011-10-240
 Moved by Kerwin
 Seconded by Slater

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

Animal Control Appeal Board

Appointed by Council (5-Regular) – 3-Year Term

Patrick Carolan	Term Expires 09/30/2013
Jayne Saeger	Term Expires 09/30/2014
Gretchen Waters, Steve Toth	Term Expires 09/30/2014

Charter Revision Committee

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

Shirley Kanoza	Term Expires 04/30/2013
Bob Berk, Jerry Bloom	Term Expires 04/30/2013
Mark Solomon	Term Expires 04/30/2014

 Cynthia Wilsher

Term Expires 04/30/2014

Election Commission

Appointed by Council – (2-Regular & 1-Charter) – 1-Year Term

 David Anderson

Term Expires 01/31/2012

 Timothy Dewan

Term Expires 01/31/2012

Historic District Commission

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

 W. Kent Voigt

Term Expires 03/01/2013

Liquor Advisory Committee

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

 Patrick Hall

Term Expires 01/31/2013

 W. Stan Godlewski

Term Expires 01/31/2014

 Dan Ukraineec

Term Expires 01/31/2014

 Jesse Pappas

Term Expires 07/31/2012

 Eunjoo Scherlinck

Term Expires 07/31/2012

Municipal Building Authority

Appointed by Council – (5-Regular) – 3-Year Term

 Victor Freliga

Term Expires 01/31/2014

Parks & Recreation Board

Appointed by Council – (7-Regular) - 3 Year Term; (1-Troy School Board) - 1-Year Term

 Kathleen Fejes

Term Expires 9/30/2013

 Tod Gazetti and JoAnn Thompson

Term Expires 9/30/2013

 Jeff Stewart

Term Expires 9/30/2013

 Meaghan Kovacs

Term Expires 9/30/2014

 Jan Zikakis

Term Expires 9/30/2014

Gary Hauff

Term Expires 7/31/2012

Personnel Board

Appointed by Council – (5-Regular) – 3-Year Term

Ann Comiskey

Term Expires 4/30/2014

Traffic Committee

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

Al Petrusis

Term Expires 1/31/2014

Richard Kilmer

Term Expires 1/31/2014

Peter Ziegenfelder

Term Expires 1/31/2014

Zoning Board of Appeals

Appointed by Council (7-Regular) - 3-Year Term

A. Allen Kneale

Term Expires 04/30/2014

David Lambert

Term Expires 04/30/2014

Yes: All-7
No: None

MOTION CARRIED

4) Tally Vote of City Council Nominee Choices

Animal Control Appeal Board

Appointed by Council (5-Regular) - 3-Year Terms

Tally of City Council Nominee Choices:

Each City Council Member should indicate two nominees to fill the vacancies on the Animal Control Appeal Board from the following list of individuals placed into nomination at the October 3, 2011 Regular City Council meeting:

NOMINEES:	COUNCIL MEMBERS: 2 Selections for Nominations
Jayne Saeger	Kerwin, McGinnis, Slater, Schilling, Beltramini, Fleming, Howrylak
Steve Toth	Kerwin, McGinnis, Slater, Schilling, Fleming
Gretchen Waters	Beltramini, Howrylak

Charter Revision Committee

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

Tally of City Council Nominee Choices:

Each City Council Member should indicate two nominees to fill the vacancies on the Charter Revision Committee from the following list of individuals placed into nomination at the October 3, 2011 Regular City Council meeting:

NOMINEES:	COUNCIL MEMBERS: 2 Selections for Nominations
Bob Berk	McGinnis, Slater, Schilling, Beltramini, Fleming, Kerwin
Jerry Bloom	Howrylak
Shirley Kanoza	McGinnis, Slater, Schilling, Beltramini, Fleming, Howrylak, Kerwin

Parks & Recreation Board

Appointed by Council – (7-Regular) - 3 Year Term; (1-Troy School Board) - 1-Year Term

Tally of City Council Nominee Choices:

Each City Council Member should indicate three nominees to fill the vacancies on the Parks and Recreation Board from the following list of individuals placed into nomination at the October 3, 2011 Regular City Council meeting:

NOMINEES:	COUNCIL MEMBERS: 3 Selections for Nominations
Kathleen Fejes	Slater, Schilling, Beltramini, Howrylak, Kerwin, McGinnis
Tod Gazetti	Slater, Schilling, Beltramini, Fleming, Howrylak, Kerwin, McGinnis
Jeff Stewart	Slater, Schilling, Beltramini, Fleming, Kerwin, McGinnis
JoAnn Thompson	Fleming, Howrylak

5) City Council Appointments

Resolution #2011-10-241
 Moved by Beltramini
 Seconded by Slater

RESOLVED, That Troy City Council hereby **APPOINTS** the following persons to serve on the Boards and Committees as indicated:

Animal Control Appeal Board

Appointed by Council (5-Regular) - 3-Year Terms

<u>Patrick Carolan</u>	Term Expires 09/30/2013
<u>Jayne Saeger</u>	Term Expires 09/30/2014
<u>Steve Toth</u>	Term Expires 09/30/2014

Charter Revision Committee

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

<u>Bob Berk</u>	Term Expires 04/30/2013
<u>Shirley Kanoza</u>	Term Expires 04/30/2013

Mark Solomon	Term Expires 04/30/2014
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Cynthia Wilsher	Term Expires 04/30/2014
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Election Commission**Appointed by Council – (2-Regular & 1-Charter) - 1-Year Term**

David Anderson	Term Expires 01/31/2012
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Timothy Dewan	Term Expires 01/31/2012
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Historic District Commission**Appointed by Council – (7-Regular) – 3-Year Term**

W. Kent Voigt	Term Expires 03/01/2013
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Liquor Advisory Committee**Appointed by Council – (7-Regular) – 3-Year Term**

Patrick Hall	Term Expires 01/31/2013
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W. Stan Godlewski	Term Expires 01/31/2014
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Dan Ukrainec	Term Expires 01/31/2014
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Jesse Pappas	Term Expires 07/31/2012
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Eunjoo Scherlinck	Term Expires 07/31/2012
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Municipal Building Authority**Appointed by Council – (5-Regular) – 3-Year Term**

Victor Freliga	Term Expires 01/31/2014
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Parks & Recreation Board *City Management Recommends the Parks & Recreation Board Retain Its Current Title**Appointed by Council – (7-Regular) - 3 Year Term; (1-Troy School Board) - 1-Year Term**

Kathleen Fejes	Term Expires 9/30/2013
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Tod Gazetti	Term Expires 9/30/2013
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Jeff Stewart	Term Expires 9/30/2013
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Meaghan Kovacs	Term Expires 9/30/2014
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Jan Zikakis

Term Expires 9/30/2014

Gary Hauff

Term Expires 7/31/2012

Personnel Board

Appointed by Council – (5-Regular) – 3-Year Term

Ann Comiskey

Term Expires 4/30/2014

Traffic Committee

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

Al Petrusis

Term Expires 1/31/2014

Richard Kilmer

Term Expires 1/31/2014

Peter Ziegenfelder

Term Expires 1/31/2014

Zoning Board of Appeals

Appointed by Council (7-Regular) - 3-Year Term

A. Allen Kneale

Term Expires 04/30/2014

David Lambert

Term Expires 04/30/2014

Yes: All-7

No: None

MOTION CARRIED

I-2 Board and Committee Nominations:

- a) **Mayoral Nominations: None Submitted**
- b) **City Council Nominations: Employee Retirement System Board of Trustees/Retiree Health Care Benefits Plan and Trust; Zoning Board of Appeals**

Moved by Kerwin
Seconded by Slater

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

Employee Retirement System Board of Trustees/Retiree Health Care Benefits Plan and Trust

Appointed by Council - City Council Representative

Maureen McGinnis - **City Council Representative**

Unexpired Term 04/15/2012

Zoning Board of Appeals

Appointed by Council (7-Regular) - 3-Year Term

Alternate

Term Expires 04/30/2014

Alternate

Term Expires 04/30/2014

Vote to Postpone Item I-2b Board and Committee Nominations: City Council Nominations: Employee Retirement System Board of Trustees/Retiree Health Care Benefits Plan and Trust; Zoning Board of Appeals to the November 14, 2011 City Council Meeting

Resolution #2011-10-242

Moved by Howrylak

Seconded by Fleming

RESOLVED, That Item *I-2b Board and Committee Nominations: City Council Nominations: Employee Retirement System Board of Trustees/Retiree Health Care Benefits Plan and Trust; Zoning Board of Appeals* be **POSTPONED** to the November 14, 2011 City Council Meeting.

Yes: Fleming, Howrylak

No: McGinnis, Slater, Schilling, Beltramini, Kerwin

MOTION FAILED

I-2 Board and Committee Nominations:

b) City Council Nominations: Employee Retirement System Board of Trustees/Retiree Health Care Benefits Plan and Trust; Zoning Board of Appeals

Resolution #2011-10-243

Moved by Kerwin

Seconded by Slater

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

Employee Retirement System Board of Trustees/Retiree Health Care Benefits Plan and Trust

Appointed by Council - City Council Representative

Maureen McGinnis - **City Council Representative**

Unexpired Term 04/15/2012

Zoning Board of Appeals

Appointed by Council (7-Regular) - 3-Year Term

Alternate

Term Expires 04/30/2014

Alternate

Term Expires 04/30/2014

Yes: All-7

No: None

MOTION CARRIED

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

I-4 Application for Transfer of Class C License to Troy Sports Restaurant

Resolution #2011-10-244

Moved by Beltramini

Seconded by Fleming

(a) Transfer Class C 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 :	Troy Sports Restaurant, LLC
Type of License Requested :	Transfer Class C Liquor License with Entertainment Permit, Outdoor Service (2 Areas) and Official Permit (Food) from Joseph Koolisky’s, LLC to Troy Sports Restaurant, LLC
Located at :	1835 E. Big Beaver Road, Troy, MI 48083
MLCC Request # :	620592

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: All-7
No: None

MOTION CARRIED

I-5 Winter Maintenance Agreement – Road Commission for Oakland County

Resolution #2011-10-245
Moved by Kerwin
Seconded by Howrylak

RESOLVED, That the 2011-2012 Winter Maintenance Agreement between the Road Commission for Oakland County and the City of Troy for Snow and Ice Control of certain primary and local roads, which are described and outlined in Exhibit A, is hereby **APPROVED** and the Mayor and City Clerk are **AUTHORIZED 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: All-7
No: None

MOTION CARRIED

J. CONSENT AGENDA:

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

Resolution #2011-10-246
Moved by Fleming
Seconded by McGinnis

RESOLVED, That Troy City Council hereby **APPROVES** all items on the Consent Agenda as presented with the exception of Item(s) J-4a and J-8, which **SHALL BE CONSIDERED** after Consent Agenda (I) items, as printed.

Yes: All-7
No: None

MOTION CARRIED

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

J-2 Approval of City Council Minutes

Resolution #2011-10-246-J-2

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

a) **Regular City Council Meeting of October 3, 2011**

J-3 Proposed City of Troy Proclamations: None Submitted

J-5 Public Works Consolidation Renovations

Resolution #2011-10-246-J-5

RESOLVED, That City Staff is hereby **AUTHORIZED** to complete office space renovations at the Public Works facility for the consolidation of DPW Divisions, as described in Attachment A, Proposed Floor Plan; and to expend an estimated \$43,910.00 in accordance with Attachment B, Detailed Pricing, utilizing in-house personnel and materials, approved contracts and standard purchasing procedures.

J-6 Request to Abandon a Portion of an Existing Sanitary Sewer Easement and Acceptance of a Permanent Sanitary Sewer Easement – Sidwell #88-20-32-200-032, Cambridge Crossings Shops #2, LLC

Resolution #2011-10-246-J-6

WHEREAS, The City of Troy has received a request from Cambridge Crossings Shops #2, LLC, owners of the property having Sidwell #88-20-32-200-032, to abandon a portion of a permanent sanitary sewer easement as recorded in Liber 21432, Pages 290 with Oakland County Register of Deeds; and

WHEREAS, The City of Troy has received in its' place a permanent easement for sanitary sewer from the property owners of Sidwell #88-20-32-200-032, Cambridge Crossings Shops #2, LLC, and

BE IT RESOLVED, That the portion of the permanent sanitary sewer easement as recorded in Liber 21432, Page 290 is hereby **ABANDONED**, and that City Council **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** a Quit Claim Deed to the property owners Cambridge Crossings Shops #2, LLC for that portion of the abandoned sanitary sewer easement; and

BE IT FURTHER RESOLVED, That the permanent easement for sanitary sewer from Cambridge Crossings Shops #2, LLC, owners of the property having Sidwell #88-20-32-200-032 is hereby **ACCEPTED**; and

BE IT FINALLY RESOLVED, That the City Clerk shall **RECORD** both the Quit Claim Deed and permanent easement with the Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-7 Purchase of Pre-Cast Concrete Restroom – Milverton Park

Resolution #2011-10-246-J-7

RESOLVED, That Troy City Council hereby **AUTHORIZES** the purchase of one (1) new Denali Pre-cast Concrete Restroom Facility at Milverton Park to the product manufacturer, CXT, Inc., an LBFoster Company of Spokane, WA as detailed in quote #GZEN900NOL-1, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, for an estimated total cost of \$61,250.00.

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon contractor submission of properly executed contract documents, including bonds, insurance certificates and all other specified requirements.

J-9 Voting Delegate for the National League of Cities (NLC) Congress of Cities and Exposition – November 2011

Resolution #2011-10-246-J-9

BE IT RESOLVED, That City Council **APPOINTS** Robin Beltramini to be the voting delegate at the November 9, 2011 National League of Cities (NLC) Congress of Cities and Exposition.

J-10 Private Agreement for Evaline Extension Phase II – Project No. 06.909.3

Resolution #2011-10-246-J-10

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Murray Deagle, is hereby **APPROVED** for the installation of sanitary sewer, paving, water main, sidewalks and soil erosion 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-11 Private Agreement – Granite City Food and Brewery – Project No. 08.911.3

Resolution #2011-10-246-J-11

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Granite City Food and Brewery, is hereby **APPROVED** for the installation of Water Main and Storm & Sanitary Sewer Connections, 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-12 Request for Approval of Robert Smith Relocation Claim – John R Road Improvement Project, Square Lake to South Boulevard – Project No. 02.204.5 – Parcel 44 – Sidwell #88-20-02-230-011

Resolution #2011-10-246-J-12

RESOLVED, That as required by Michigan Laws and Federal Regulations, the City Council of the City of Troy hereby **APPROVES** the Relocation Claim from Robert Smith, pertaining to the City of Troy's acquisition of property at 6695 John R, having Sidwell #88-20-02-230-011, and **AUTHORIZES** payment in the amount of \$650.

J-13 Municipal Credit and Community Credit Agreement

Resolution #2011-10-246-J-13

RESOLVED, That the City of Troy hereby **APPROVES** the attached Municipal Credit and Community Credit Contract for FY 2012, which transfers Municipal Credit funds in the amount of \$79,648 and Community Credit funds in the amount of \$88,586 to Troy Medi-Go Plus, for the operation of transportation service for senior citizens and persons with disabilities.

BE IT FURTHER RESOLVED, That the Mayor and City Council are **AUTHORIZED** to execute the contract, with copies to be **ATTACHED** to the original Minutes of the meeting.

J-14 Request to Waive Recapture of Community Development Block Grant 2009 Funds

Resolution #2011-10-246-J-14

WHEREAS, The U.S. Department of Housing and Urban Development (HUD) mandates that Community Development Block Grant (CDBG) balances not exceed 1.5 times the current program year allocation sixty (60) days prior to the end of the program year (February 28th); and

WHEREAS, The Oakland County Board of Commissioners adopted a policy allowing communities to protect funds from their two most recent program years to help comply with this regulation; and

WHEREAS, All unobligated 2009 and older funds are at risk of recapture December 31, 2011; and

WHEREAS, The City of Troy may protect unobligated 2009 funds from recapture for one additional year by requesting a waiver; and

WHEREAS, A separate Waiver request form must be submitted for each 2009 line item to the Manager of the Oakland County Community & Home Improvement Division no later than December 1, 2011.

NOW THEREFORE, BE IT RESOLVED, That the City of Troy hereby requests to waive recapture of 2009 CDBG funds as follows:

Account Number	Project Name	Amount
172170-730744	Flood Drain Improvements	\$119,279.00
172160-732170	Public Services (Yard Services)	\$ 52,191.00
172160-730789	General Program Admin	\$ 2,500.00

J-4 Standard Purchasing Resolutions**a) Standard Purchasing Resolution 4: National Intergovernmental Purchasing Alliance (NIPA) Disk Based Backup System**

Resolution #2011-10-247

Moved by Fleming

Seconded by Howrylak

WHEREAS, The Information Technology Department has utilized a tape based backup system as the primary backup-and-restore medium for off-site data storage; and

WHEREAS, The tape based backup system is very labor intensive to manage and relatively slow, and with increasing data storage needs, shrinking backup windows, the need to recover critical applications quickly and declining disk costs have moved the technology market into a disk based solution;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** a contract to replace the old tape backup system and purchase a new disk based system which provides faster restores, greater reliability, ease of management, and data de-duplication from CDW-G through the NIPA Technology Solutions Contract #083052-01 competitively solicited and awarded by Tucson, AZ for an estimated cost of \$21,800.00 and recurring costs estimated at \$3,000.00 per year.

Yes: All-7

No: None

MOTION CARRIED

J-8 Expansion and Purchase of Self-Checkout Stations for Troy Public Library

Resolution #2011-10-248

Moved by Fleming

Seconded by Beltramini

WHEREAS, On January 26, 2009, Troy City Council approved the purchase of an integrated library system solution for the Troy Public Library to the highest rated bidder, Polaris Library Systems of Syracuse, NY, as a result of a best value process (Resolution #2009-01-025-F4b); and

WHEREAS, In an effort to continually improve service delivery and provide greater efficiencies to the patrons of the library, the system should now be expanded to include self-checkout stations; and

WHEREAS, Due to the complexity of the system, it is desirable to allow the company who installed and currently maintains the system to expand it, thus avoiding corruption of the software;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **DETERMINES** it to be in the public's best interest to **AUTHORIZE** the City of Troy to utilize the services of Polaris Library Systems of Syracuse, NY, to purchase and install three (3) Polaris Library System Self-Checkout stations for an estimated total cost of \$36,481.00, in accordance with their quotation #2011-0732 dated 8/10/2011, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7
No: None

MOTION CARRIED

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings: None Submitted

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 No Council Referrals Submitted

M. COUNCIL COMMENTS

M-1 No Council Comments Advanced

Council Member Beltramini commented on several topics: a citizen complaint pertaining to a traffic issue currently being looked into by City Departments, the level of service at the Troy Public Library, and well-wishes to fellow Council Members.

Council Member Slater thanked and expressed well-wishes to City Council Members attending their last meeting on City Council.

Council Member Fleming thanked and expressed well-wishes to City Council Members attending their last meeting on City Council.

Council Member McGinnis expressed congratulations to Cindy Stewart and Sgt. Zielinski being named 2011 Outstanding Volunteers by the Boys & Girls Club of Troy, commented on the update for ICMA recommendations, and expressed well-wishes to City Council Members attending their last meeting on City Council.

Council Member Howrylak expressed well-wishes to City Council Members attending their last meeting on Council, and to the community, colleagues, and family members.

Council Member Kerwin presented information from the MML Conference, congratulated Council Member McGinnis on her education award and Lori Bluhm on being elected Vice President of the Michigan Association of Municipal Attorneys, and expressed well-wishes to City Council Members attending their last meeting on Council.

Mayor Schilling congratulated Lori Bluhm on her accomplishment, expressed appreciation of the professionalism of City Staff, offered encouragement to future Council Members, and commented on her love of the community.

N. REPORTS

N-1 Minutes – Boards and Committees:

- a) Election Commission-Final-September 1, 2011
 - b) Planning Commission-Draft-September 13, 2011
 - c) Election Commission-Draft-October 13, 2011
Noted and Filed
-

N-2 Department Reports:

- a) Status of ICMA Recommendations – Fire Department
 - b) ICMA Implementation Plan and Progress Report – Police Department
 - c) ICMA Recommendations and Status Update – Department of Public Works
 - d) Evaluation of Building Operations Efficiencies
Noted and Filed
-

N-3 Letters of Appreciation:

- a) Card of Appreciation from the Daughters of the American Revolution to Mayor Pro Tem Kerwin
 - b) Letter of Appreciation and Congratulations to Cindy Stewart from Cheryl Whitton-Kaszubski with Leadership Troy on Being Selected the 2011 Outstanding Volunteer for the Boys & Girls Club of Troy
 - c) Letter of Appreciation to Chief Mayer from Sarah Davis with Operation Homefront Thanking the Troy Police Honor Guard and K-9 Officers
 - d) Letter of Appreciation and Congratulations to Sergeant Zielinski from Leadership Troy on Being Selected the 2011 Outstanding Volunteer for Troy Youth Assistance
Noted and Filed
-

N-4 Proposed Proclamations/Resolutions from Other Organizations:

- a) Resolution from the Daughters of the American Revolution Expressing Appreciation to Mayor Pro Tem Kerwin
Noted and Filed
-

N-5 Michigan Association of Municipal Attorneys Press Release – Lori Grigg Bluhm Elected Vice President for 2011-2012

Noted and Filed

N-6 2011 Third Quarter Litigation Report

Noted and Filed

The meeting **RECESSED** at 10:08 PM.

The meeting **RECONVENED** at 10:13 PM.

O. STUDY ITEMS

O-1 Troy's Organizational Evolution to Economic Sustainability

P. CLOSED SESSION:

P-1 No Closed Session Requested

Q. ADJOURNMENT

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



Mayor Louise E. Schilling



M. Aileen Bittner, CMC
City Clerk