

Council Member Fleming 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 21, 2011, at City Hall, 500 W. Big Beaver Road. Mayor Daniels called the meeting to order at 7:30 PM.

### B. ROLL CALL:

Mayor Janice Daniels  
 Jim Campbell  
 Wade Fleming  
 Dave Henderson  
 Maureen McGinnis  
 Dane Slater  
 Doug Tietz

### C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

#### C-1 Certificates of Recognition and Special Presentations

- a) Troy School District Students Present “Say No to Drugs” Pledge Forms to Troy City Council

### D. CARRYOVER ITEMS:

#### D-1 No Carryover Items

### E. PUBLIC HEARINGS:

#### E-1 No Public Hearings

### F. PUBLIC COMMENT:

Stine, Jeanne	Spoke about the Mayoral and City Council Oath of Office.
Cherasaro, Nicholas	Spoke in opposition of the Transit Facility.
Peters, Richard	Spoke about various topics.
Kotubey, Jordan	Spoke in support of the Transit Facility on behalf of the International Academy of Design and Technology and the Troy Chamber of Commerce – Economic Development Committee.
Reinhardt, Marvin	Spoke in opposition of the Transit Facility and other various topics.
Savage, James	Spoke in opposition of the Transit Facility and the 7-day Library service.
Bloomingtondale, Bruce	Spoke in support of the Transit Facility.
Kajma, Linda	Spoke about the Mayoral and City Council Oath of Office and the 7-day Library service.
Hendrickson, Rob	Spoke about 7-day Library service and in support of the Transit Facility.

Murrish, Dale	Spoke in opposition of the Transit Facility.
Grix, E. James	Spoke about various topics.
Krent, Tom	Spoke in support of the Transit Facility.
Cowger, Bill	Spoke in support of the Transit Facility.
Zembrzuski, Audre	Spoke about the Transit Facility.
Sovaburg, Boris	Spoke in opposition of the Transit Facility.
Basile, Andy	Spoke in support of the Transit Facility.
Canady, Ted	Spoke in support of the Transit Facility and the amenities in Troy.

**G. RESPONSE / REPLY TO PUBLIC COMMENT**

The Meeting **RECESSED** at 8:52 PM.

The Meeting **RECONVENED** at 9:07 PM.

**H. POSTPONED ITEMS:**

**H-1 Adoption of City Council Rules of Procedure Postponed from the November 14, 2011 Regular City Council Meeting**

**Vote on Resolution to Postpone Item H-1 Adoption of City Council Rules of Procedure Postponed from the December 5, 2011 Regular City Council Meeting**

Resolution #2011-11-257  
 Moved by McGinnis  
 Seconded by Campbell

RESOLVED, That Item *H-1 Adoption of City Council Rules of Procedure Postponed from the November 14, 2011 Regular City Council Meeting* be **POSTPONED** to a Study Session scheduled for the December 5, 2011 Regular City Council Meeting.

Yes: All-7  
 No: None

**MOTION CARRIED**

**I. REGULAR BUSINESS:**

**I-1 Board and Committee Appointments: City Council Appointments – Employee Retirement System Board of Trustees/Retiree Health Care Benefits Plan and Trust**

**b) City Council Appointments**

**Tally of City Council Nominee Choices:**

<b>NOMINEES:</b>	<b>COUNCIL MEMBERS: 1 Selection for Nomination</b>
Wade Fleming	Campbell, Henderson, Tietz, Daniels, Fleming
Maureen McGinnis	McGinnis, Slater

Resolution #2011-11-258  
Moved by McGinnis  
Seconded by Slater

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

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

Appointed by Council - City Council Representative

Wade Fleming      **City Council Representative**      Unexpired Term 04/15/2012

Yes: All-7  
No: None

**MOTION CARRIED**

**1-2 Board and Committee Nominations: City Council Nominations – Parks & Recreation Board; Southeastern Michigan Council of Governments (SEMCOG)**

**b) City Council Nominations**

Resolution #2011-11-259  
Moved by McGinnis  
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:

**Parks & Recreation Board**

Appointed by Council – (7-Regular) - 3 Year Term; (1-Troy School Board) - 1-Year Term; (1-Troy Daze Committee) - 1-Year Term; (1-Adv. Comm. For Sr. Citizens) - 1-Year Term

Aditya Yelamanchi      **Student Representative**      Term Expires 7/31/2012

Yes: All-7  
No: None

**MOTION CARRIED**

Resolution #2011-11-260  
Moved by McGinnis  
Seconded by Fleming

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:

**Southeastern Michigan Council of Governments (SEMCOG)**

Appointed by Council (1-Delegate & 1-Alternate) Appointment Every Odd Year Election

James Campbell	Delegate	Term Expires 11/11/2013
Mark Miller	Alternate	Term Expires 11/11/2013

Yes: All-7  
 No: None

**MOTION CARRIED**

---

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

---

**I-4 Bid Waiver – Professional Services – Police Department Promotional Testing Services**

Resolution #2011-11-261  
 Moved by Fleming  
 Seconded by Tietz

WHEREAS, EMPCO, Inc. has been providing testing and hiring services to the City’s Police Department for 20 years; and has provided this service to several other surrounding municipalities; and

WHEREAS, EMPCO, Inc. meets departmental needs and complies with Act 78 Commission requirements, including the requirement to be fair and impartial.

THEREFORE, BE IT RESOLVED, That formal bidding procedures for this professional service are hereby **WAIVED**, since the public interest is best served by contracting with EMPCO, Inc.

BE IT FURTHER RESOLVED, That the attached contract, authorizing EMPCO, Inc. to provide police lieutenant and police sergeant promotional testing is **APPROVED**, and a copy will be **ATTACHED** to the original minutes of this meeting.

BE IT FINALLY RESOLVED, That upon the final action of the City of Troy Civil Service Commission requesting the certification of eligible police sergeant and lieutenant candidates, the City Manager and Human Resources Director are hereby **AUTHORIZED to EXECUTE** this contract on behalf of the City.

Yes: All-7  
 No: None

**MOTION CARRIED**

**I-5 2012 City Council Meeting Schedule**

Resolution #2011-11-262

Moved by McGinnis

Seconded by Campbell

RESOLVED, That Troy City Council **SHALL HOLD** Regular Meetings in 2012 according to the following schedule at 7:30 pm:

Monday, January 9 & 23  
Monday, February 6 & 20  
Monday, March 5 & 19  
Monday, April 2 & 16  
Monday, May 7 & 14  
Monday, June 4 & 18  
Monday, July 9 & 23  
Monday, August 13 & 27  
Monday, September 10 & 24  
Monday, October 8 & 22  
Monday, November 12 & 26  
Monday, December 3 & 17

BE IT FURTHER RESOLVED, That Troy City Council **SHALL HOLD** Special Study Sessions for the purpose of budget discussions in 2012 according to the following schedule at 7:30 pm

Monday, April 23  
Monday, April 30

BE IT FURTHER RESOLVED, That Troy City Council **MAY SCHEDULE** other Special Meetings as needed.

Yes: All-7

No: None

**MOTION CARRIED**

---

**I-6 Resolution to Revoke an Industrial Facilities Exemption Certificate (IFEC) and Vacate an Industrial Development District (IDD) Previously Granted and Established: Faurecia Automotive Seating, Inc. – 2350 Meijer**

**Vote to Postpone Item I-6 Resolution to Revoke an Industrial Facilities Exemption Certificate (IFEC) and Vacate an Industrial Development District (IDD) Previously Granted and Established: Faurecia Automotive Seating, Inc. – 2350 Meijer Until the December 19, 2011 Regular City Council Meeting**

Resolution #2011-11-263

Moved by Slater

Seconded by Daniels

RESOLVED, That Item *I-6 Resolution to Revoke an Industrial Facilities Exemption Certificate (IFEC) and Vacate an Industrial Development District (IDD) Previously Granted and Established: Faurecia Automotive Seating, Inc. – 2350 Meijer* be **POSTPONED** Until the December 19, 2011 Regular City Council Meeting.

Yes: All-7

No: None

## MOTION CARRIED

---

### **I-7 Resolution to Revoke an Industrial Facilities Exemption Certificate (IFEC) and Vacate an Industrial Development District (IDD) Previously Granted and Established: EcoMotors, International – 1055 W. Square Lake**

Resolution #2011-11-264

Moved by Fleming

Seconded by Slater

WHEREAS, After due notice and proper hearing, the City Council of the City of Troy on August 25, 2008, established an Industrial Development District (IDD) for property known as 1055 W. Square Lake, Troy, MI. 48098, Parcel #; 88-20-08-226-002, in the name of EcoMotors, International; and

WHEREAS, Per the Letter of Agreement, between EcoMotors, International and the City of Troy, and per Public Act 198 of 1974, as amended, EcoMotors, International was allowed until December 31, 2010 to purchase and install all of the personal property to be abated, as reported on their application for exemption; and

WHEREAS, EcoMotors, International has not purchased and installed all of the personal property that was to be abated, contrary to the terms of the Letter of Agreement between EcoMotors, International and the City of Troy, and in violation of Public Act 198 of 1974, as amended;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **REVOKES** the Industrial Facilities Exemption Certificate (IFEC), certificate # 2008-363, and hereby **VACATES** the Industrial Development District (IDD) previously granted to EcoMotors, International, for property located at 1055 W. Square Lake, Troy, MI. 48098, Parcel # 88-20-08-226-002, effective December 31, *Year*; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to forward, by certified mail, a copy of this Resolution to the State Tax Commission (STC), Treasury Building, P.O. Box 30471, Lansing, MI. 48909-7971, and to EcoMotors, International at 2401 W. Big Beaver Ste 100, Troy, MI. 48084.

Yes: All-7

No: None

## MOTION CARRIED

---

### **I-8 Resolution to Revoke an Industrial Facilities Exemption Certificate (IFEC) and Vacate an Industrial Development District (IDD) Previously Granted and Established: The ProMetal RCT, LLC – 2341 Alger**

Moved by Slater  
Seconded by McGinnis

WHEREAS, After due notice and proper hearing, the City Council of the City of Troy on September 22, 2008, established an Industrial Development District (IDD) for property known as 2341 Alger, Troy, MI. 48083, Parcel #: 88-20-26-200-060, in the name of The ProMetal RCT, LLC; and

WHEREAS, Per the Letter of Agreement, between The ProMetal RCT, LLC and the City of Troy, and per Public Act 198 of 1974, as amended, The ProMetal RCT, LLC was allowed until December 31, 2010 to purchase and install all of the personal property to be abated, as reported on their application for exemption; and

WHEREAS, The ProMetal RCT, LLC has not purchased and installed all of the personal property that was to be abated, contrary to the terms of the Letter of Agreement between The ProMetal RCT, LLC and the City of Troy, and in violation of Public Act 198 of 1974, as amended;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **REVOKES** the Industrial Facilities Exemption Certificate (IFEC), certificate # 2008-506, and hereby **VACATES** the Industrial Development District (IDD) previously granted to The ProMetal RCT, LLC, for property located at 2341 Alger, Troy, MI. 48083, Parcel # 88-20-26-200-060, effective December 31, 2011, and

BE IT ALSO RESOLVED, That Troy City Council hereby **DIRECTS** the City Treasurer to invoice The ProMetal RCT, LLC for the amount of the abated taxes as calculated by the City Assessor's spreadsheet, which shall be attached and become a part of the Regular Minutes of this meeting; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to forward, by certified mail, a copy of this Resolution to the State Tax Commission (STC), Treasury Building, P.O. Box 30471, Lansing, MI. 48909-7971, and to The ProMetal RCT, LLC at 2341 Alger, Troy, MI. 48083.

**Motion to Take No Action on Item I-8 Resolution to Revoke an Industrial Facilities Exemption Certificate (IFEC) and Vacate an Industrial Development District (IDD) Previously Granted and Established: The ProMetal RCT, LLC – 2341 Alger**

Move by Slater  
Seconded by Fleming

RESOLVED, That **NO ACTION** be Taken on Item *I-8 Resolution to Revoke an Industrial Facilities Exemption Certificate (IFEC) and Vacate an Industrial Development District (IDD) Previously Granted and Established: The ProMetal RCT, LLC – 2341 Alger.*

Council Member Slater withdrew his motion.

**Vote on Main Resolution to Revoke an Industrial Facilities Exemption Certificate (IFEC) and Vacate an Industrial Development District (IDD) Previously Granted and Established: The ProMetal RCT, LLC – 2341 Alger**

Resolution #2011-11-265

Moved by Slater

Seconded by McGinnis

WHEREAS, After due notice and proper hearing, the City Council of the City of Troy on September 22, 2008, established an Industrial Development District (IDD) for property known as 2341 Alger, Troy, MI. 48083, Parcel #; 88-20-26-200-060, in the name of The ProMetal RCT, LLC; and

WHEREAS, Per the Letter of Agreement, between The ProMetal RCT, LLC and the City of Troy, and per Public Act 198 of 1974, as amended, The ProMetal RCT, LLC was allowed until December 31, 2010 to purchase and install all of the personal property to be abated, as reported on their application for exemption; and

WHEREAS, The ProMetal RCT, LLC has not purchased and installed all of the personal property that was to be abated, contrary to the terms of the Letter of Agreement between The ProMetal RCT, LLC and the City of Troy, and in violation of Public Act 198 of 1974, as amended;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **REVOKES** the Industrial Facilities Exemption Certificate (IFEC), certificate # 2008-506, and hereby **VACATES** the Industrial Development District (IDD) previously granted to The ProMetal RCT, LLC, for property located at 2341 Alger, Troy, MI. 48083, Parcel # 88-20-26-200-060, effective December 31, 2011, and

BE IT ALSO RESOLVED, That Troy City Council hereby **DIRECTS** the City Treasurer to invoice The ProMetal RCT, LLC for the amount of the abated taxes as calculated by the City Assessor's spreadsheet, which shall be attached and become a part of the Regular Minutes of this meeting; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to forward, by certified mail, a copy of this Resolution to the State Tax Commission (STC), Treasury Building, P.O. Box 30471, Lansing, MI. 48909-7971, and to The ProMetal RCT, LLC at 2341 Alger, Troy, MI. 48083.

Yes: Tietz

No: Campbell, Fleming, Henderson, McGinnis, Slater, Daniels

**MOTION FAILED**

---

**I-9 Reconsideration and Substitution of Resolution Approving Industrial Facilities Exemption Certificate (IFEC) for Sulzer Metco, Inc. – 1972 Meijer**

Resolution #2011-11-266

Moved by Slater

Seconded by McGinnis

RESOLVED, That Troy City Council hereby **RECONSIDERS** Resolution #2010-09-186 *Request for Consideration to Grant an Industrial Facilities Exemption Certificate (IFEC) to Sulzer Metco, Inc., - 1972 Meijer*, Moved by Kerwin and Seconded by McGinnis, as it appears below:

*WHEREAS, After due notice and proper hearing, the City Council of the City of Troy on September 13, 2010, established an Industrial Development District (IDD) for property known as 1972 Meijer, Troy MI, 48084-7143, Parcel # 88-20-32-226-024; and*

*WHEREAS, An Application has been submitted by Sulzer Metco, Inc., for an Industrial Facilities Exemption Certificate (IFEC) for personal property at 1972 Meijer, Troy MI, 48084-7143, for seven (7) years; and*

*WHEREAS, After due and proper notice by the City Clerk, the City Council, on September 13, 2010, 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 Sulzer Metco, Inc., at 1972 Meijer, Troy MI, 48084-7143 may have the effect of substantially impeding the operation of the taxing unit, or impairing the financial soundness of the taxing unit;*

*NOW, THEREFORE, BE IT RESOLVED, That Troy City Council has **FOUND THAT THE GRANTING** of an Industrial Facilities Exemption Certificate (IFEC) for Sulzer Metco, Inc., at 1972 Meijer, Troy MI, 48084-7143 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 for an Industrial Facilities Exemption Certificate (IFEC) for Sulzer Metco, Inc., at 1972 Meijer, Troy MI, 48084-7143, Parcel # 88-20-32-226-024, for personal property for a term of seven (7) years, **CONTINGENT** upon the execution of a Letter of Agreement between the City of Troy and Sulzer Metco, Inc., and payment of the application fee established 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 Sulzer Metco, 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: Kerwin, McGinnis, Slater, Schilling, Beltramini, Fleming,  
No: Howrylak

and

- a) **Proposed Resolution to Amend Reconsidered Resolution #2010-09-186 Request for Consideration to Grant an Industrial Facilities Exemption Certificate (IFEC) to Sulzer Metco, Inc., - 1972 Meijer, as Directed by the State Tax Commission**

RESOLVED, That Troy City Council hereby **AMENDS** Resolution #2010-09-186, *Establishment of an Industrial Facilities Exemption Certificate (IFEC)* by **STRIKING** it in its entirety and **SUBSTITUTING** it with the following:

*WHEREAS, After due notice and proper hearing, the City Council of the City of Troy on September 13, 2010, established an Industrial Development District (IDD) for property known as 1972 Meijer, Troy MI, 48084-7143, Parcel # 88-20-32-226-024; and*

*WHEREAS, An Application has been submitted by Sulzer Metco, Inc., for an Industrial Facilities Exemption Certificate (IFEC) for personal property at 1972 Meijer, Troy MI, 48084-7143, for seven (7) years; and*

*WHEREAS, After due and proper notice by the City Clerk, the City Council, on September 13, 2010, 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 Sulzer Metco, Inc., at 1972 Meijer, Troy MI, 48084-7143 may have the effect of substantially impeding the operation of the taxing unit, or impairing the financial soundness of the taxing unit;*

*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 Sulzer Metco, Inc., at 1972 Meijer, Troy MI, 48084-7143 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 for an Industrial Facilities Exemption Certificate (IFEC) for Sulzer Metco, Inc., at 1972 Meijer, Troy MI, 48084-7143, Parcel # 88-20-32-226-024, for personal property for a term of seven (7) years, **CONTINGENT** upon the execution of a Letter of**

*Agreement between the City of Troy and Sulzer Metco, Inc., and payment of the application fee established 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 Sulzer Metco, 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: Fleming, Henderson, McGinnis, Slater, Daniels, Campbell

No: Tietz

## **MOTION CARRIED**

### **J. CONSENT AGENDA:**

---

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

Resolution #2011-11-267

Moved by Fleming

Seconded by Campbell

RESOLVED, That Troy City Council hereby **APPROVES** all items on the Consent Agenda as presented and 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 #2011-11-267-J-2

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

- a. Regular City Council Meeting of November 14, 2011

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

---

#### **J-4 Standard Purchasing Resolutions**

---

**a) Standard Purchasing Resolution 1: Award to Low Bidders – Snow Removal Services – Municipal Parking Lots and Local Roads**

Resolution #2011-11-267-J-4a

RESOLVED, That Troy City Council hereby **AWARDS** contract(s) for seasonal requirements of snow removal services under Proposals A and E with an option to renew for one (1) additional season to the following low bidders: Advanced Landscape & Builders Supply Inc of Clawson MI for Proposal A – Municipal Parking Lots, Building Entrances and Sidewalks, and to DiPonio Contracting Inc and Florence Cement Company, of Shelby Township MI, for Proposal E - Local Roads Emergency Basis, all at hourly rates as contained in the bid tabulation opened November 1, 2011, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** City staff to extend the hourly contract prices to other contractors after the successful bidders have been employed, to speed the snow removal process during times of snow emergencies.

BE IT FINALLY RESOLVED, That awards are **CONTINGENT UPON** contractors' submission of properly executed proposal and contract documents, including insurance certificates and all other specified requirements.

**b) Standard Purchasing Resolution 1: Award to Low Bidders – Snow Removal Services – Home Chore Program and Public Sidewalks**

Resolution #2011-11-267-J-4b

RESOLVED, That Troy City Council hereby **AWARDS** contracts to provide seasonal requirements of snow removal services for the City's municipal sidewalks (Proposal A), code enforcement tasks (Proposal B), and the Home Chore Program (Proposal C) with an option to renew for one (1) additional season to the low total bidder, MVP Environmental, LLC of Troy as the primary contractor for all three (3) proposals; and Brantley Development LLC of Westland, as secondary contractor for code enforcement and the home chore program, to be used in the event the primary contractor is unable to provide the services as needed, all at unit prices contained in the bid tabulation opened November 11, 2011, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with contracts expiring April 30, 2012.

BE IT FURTHER RESOLVED, That the awards are **CONTINGENT** upon contractors' submission of properly executed bid and contract documents, including insurance certificates and all other specified requirements.

---

**J-5 Request to Waive Recapture of Community Development Block Grant 2009 Funds**

Resolution #2011-11-267-J-5

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 28<sup>th</sup>); 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	\$ 33,567.00
172160-732170	Public Services (Yard Services)	\$ 50,388.00
172170-731332	Parks –Recreational Facilities	\$ 81,505.00

---

**J-6 May, as Personal Representative of Jesus Gillard v Bloomfield Township, Troy, et. al**

Resolution #2011-11-267-J-6

RESOLVED, That the City Attorney is hereby **AUTHORIZED** and **DIRECTED** to represent the City of Troy and the individual Troy defendants named in the matter of Alan A. May, as Personal Representative of the Estate of Jesus Winston Gillard, Deceased, v. Bloomfield Township, et al., United States District Court for the Eastern District of Michigan, Case No. 2:11-cv-14453, against any claims and damages. Furthermore, the City Attorney is **AUTHORIZED** to pay necessary costs and expenses and to retain any necessary expert witnesses to adequately represent the City and the Troy defendants.

**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**

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

Resolution #2011-11-268  
Moved by Tietz

Seconded by Daniels

RESOLVED, That Troy City Council hereby **SUSPENDS** Rules of Procedure for the City Council, Rule #6 *Order of Business* to Move Study Session Prior to Council Comments.

Yes: Tietz, Daniels, Fleming, Henderson

No: McGinnis, Slater, Campbell

**MOTION CARRIED**

The Meeting **RECESSED** at 9:54 PM.

The Meeting **RECONVENED** at 9:58 PM.

**O. STUDY ITEMS**

---

**O-1 Update and Status of the Troy Multi-Modal Transit Facility**

The Meeting **RECESSED** at 11:34 PM.

The Meeting **RECONVENED** at 11:37 PM.

**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**

**N. REPORTS**

---

**N-1 Minutes – Boards and Committees:**

- a) Liquor Advisory Committee Minutes-Final-October 10, 2011
  - b) Zoning Board of Appeals-Draft-October 18, 2011
  - c) Zoning Board of Appeals-Final-October 18, 2011
  - d) Liquor Advisory Committee Minutes-Draft-November 14, 2011
- Noted and Filed
- 

**N-2 Department Reports:**

- a) City of Troy Retiree Health Care Plan Actuarial Valuation of Other Postemployment Benefits - December 31, 2010
  - b) City of Troy Employees Retirement System Forty-Seventh Annual Actuarial Valuation – December 31, 2010
  - c) Quarterly Financial Report – September 30, 2011
- Noted and Filed
-

---

**N-3 Letters of Appreciation:**

- a) Letter of Appreciation from Vandan Kumar Manni to Lieutenant Riesterer – Fire Department
- b) Letter of Appreciation from Matt Creech to Steven Vandette – City Engineer
- c) Letter of Appreciation from JoAnne Carlson – American Business Women’s Association to Cathy Russ – Library Director

Noted and Filed

---

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

Noted and Filed

---

**N-5 University of Michigan-Dearborn’s iLabs eCities Research Recognizes Troy for Its Positive Entrepreneurial Climate**

Noted and Filed

---

**N-6 Notice of Hearing for the Electric Customers of the Detroit Edison Company Case No. U-16892**

Noted and Filed

---

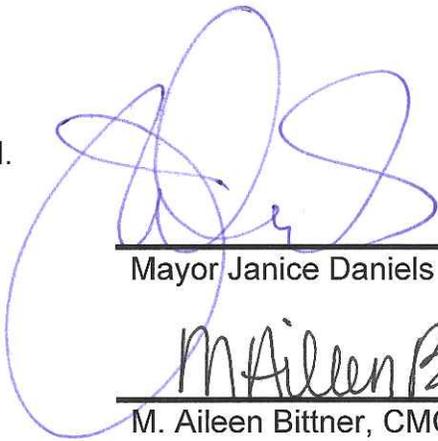
**P. CLOSED SESSION:**

P-1 No Closed Session Requested

---

**Q. ADJOURNMENT**

The meeting **ADJOURNED** at 11:59 PM.



---

Mayor Janice Daniels



---

M. Aileen Bittner, CMC  
City Clerk