

Pastor Dan Lewis from Troy Christian Chapel performed the Invocation. The Pledge of Allegiance was given.

A. CALL TO ORDER:

A Regular Meeting of the Troy City Council was held Monday, December 19, 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) Continued Commitment to Traffic Safety Award Presented by Jim Santilli, Executive Director of the Traffic Improvement Association**

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 #2011-11-284
Moved by Henderson
Seconded by Tietz

RESOLVED, That Troy City Council hereby **SUSPENDS** Rules of Procedure for the City Council, Rule #6 Order of Business to hear public comment and to address Item **I-6 Executive Summary – Transit Center**.

Yes: All-7
No: None

MOTION CARRIED

F. PUBLIC COMMENT:

Hutson, Michael	Spoke in support of Item I-6 Executive Summary–Transit Center
Tagle, John	Spoke in support of Item I-6 Executive Summary–Transit Center
Lakin, Dave	Spoke in support of Item I-6 Executive Summary–Transit Center
Geiger, M.L.	Spoke in support of Item I-6 Executive Summary–Transit Center
Wengrow, Irv	Spoke in support of Item I-6 Executive Summary–Transit Center
Baxi, Minesh	Spoke in opposition to Item I-6 Executive Summary–Transit Center
Amann, Bryan	Spoke in opposition to Item I-6 Executive Summary–Transit Center
Crowl, Sam	Spoke in support of Item I-6 Executive Summary–Transit Center
Minnick, Dick	Spoke in opposition to Item I-6 Executive Summary–Transit Center
Vert, John	Spoke in opposition to Item I-6 Executive Summary–Transit Center
Nixon, Greta	Spoke in support of Item I-6 Executive Summary–Transit Center
Kilgore, Zach	Spoke in support of Item I-6 Executive Summary–Transit Center
Lukas, Paul	Spoke in support of Item I-6 Executive Summary–Transit Center
Bhatt, Kumar	Spoke in support of Item I-6 Executive Summary–Transit Center
Schepke, Gordon	Spoke in opposition to Item I-6 Executive Summary–Transit Center
Hodges, Michele	Spoke in support of Item I-6 Executive Summary–Transit Center
Strat, Thomas	Spoke in support of Item I-6 Executive Summary–Transit Center
Greenwall, Jenny	Spoke in opposition to Item I-6 Executive Summary–Transit Center
Lamers, Duane	Spoke in opposition to Item I-6 Executive Summary–Transit Center
Cowger, Bill	Spoke in support of Item I-6 Executive Summary–Transit Center
Eckhout, Fred	Spoke in opposition to Item I-6 Executive Summary–Transit Center
Staeger, Gerard	Spoke in opposition to Item I-6 Executive Summary–Transit Center
Peters, Richard	Spoke in support of Item I-6 Executive Summary–Transit Center
Ashcraft, John	Spoke in support of Item I-6 Executive Summary–Transit Center
Femminineo, Charlene	Spoke in opposition to Item I-6 Executive Summary–Transit Center
Murrish, Dale	Spoke in opposition to Item I-6 Executive Summary–Transit Center
Yashinsky, Neil	Spoke in support of Item I-6 Executive Summary–Transit Center
Grix, E. James	Spoke in opposition to Item I-6 Executive Summary–Transit Center
Cruz, Tony	Spoke in opposition to Item I-6 Executive Summary–Transit Center
Elder, Michelle	Spoke in support of Item I-6 Executive Summary–Transit Center
Martin, Susan S.	Spoke in support of Item I-6 Executive Summary–Transit Center
Krent, Tom	Spoke in support of Item I-6 Executive Summary–Transit Center
Kotubey, Jordan	Spoke in support of Item I-6 Executive Summary–Transit Center
DeBacker, Deborah	Spoke in opposition to Item I-6 Executive Summary–Transit Center
Haddad, Tony	Spoke in opposition to Item I-6 Executive Summary–Transit Center
Cherasaro, Nicholas	Spoke in opposition to Item I-6 Executive Summary–Transit Center

The meeting **RECESSED** at 9:52 PM.

The meeting **CONVENED** at 10:00 PM.

I-6 Executive Summary – Transit Center

- b) **Rejection of All Proposals for RFP-COT ENG 10-44, Architect and Engineering Services for the Final Design of the Troy Multi-Modal Transit Facility. Advise MDOT That City Council Rejects the \$8,485,212 Grant from the Federal Rail Administration**

and Forward This Resolution to the State of Michigan Department of Transportation and Federal Rail Administration.

Moved by Tietz
Seconded by Henderson

WHEREAS, On September 12, 2011, the Troy City Council passed the following Resolution (2011-09-210):

Resolution #2011-09-210:

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.

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

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.

WHEREAS, The Troy City Council has decided that it is not going to hire the highest rated firm as a result of a qualification based selection process, as directed by MDOT or any other architect to complete the final design for the Troy Multi-Modal Transit Facility, which is a tacit abandonment of the Project.

THEREFORE BE IT RESOLVED, The Troy City Council hereby **REJECTS ALL** proposals for RFP-COT ENG 10-44, Architect and Engineering Services, opened November 2, 2011, for the Final Design of the Troy Multi-Modal Transit Facility.

BE IT FURTHER RESOLVED, The City Council of the City of Troy **ADVISES** MDOT that City Council rejects the \$8,485,212 grant from the Federal Rail Administration and **FORWARDS** this resolution to the State of Michigan Department of Transportation and the Federal Rail Administration, as administrator of the \$8,485,212 ARRA grant funds.

Resolution to Amend Resolution *I-6 Executive Summary – Transit Center a) Approval of MDOT Sub-Contract with Hubbell, Roth & Clark, Inc. for Architect Engineering Services for the Final Design of the Troy Multi-Modal Transit Facility*

Moved by Fleming
Seconded by

Resolved, That City Council **AMENDS** Item *I-6 Executive Summary – Transit Center a) Approval of MDOT Sub-Contract with Hubbell, Roth & Clark, Inc. for Architect Engineering Services for the Final Design of the Troy Multi-Modal Transit Facility* to have a thorough value engineering review conducted by the architects and engineers already chosen for this project and have them give us a design that caps the total expenditures at no more than \$5 million dollars, including contingencies; in addition, if the revised resolution is passed for this project capping the total expenditures at no more than \$5 million dollars; a request that the business community through the Chamber of Commerce commit to finding ways to assist the City to pay for the annual operating expenses if, in fact, that the expenses are in excess of the revenue generated for this transit center to ensure that the operations for this facility are cost neutral to the City of Troy.

The motion to amend was not seconded.

Vote on Item *I-6 Executive Summary – Transit Center b) Rejection of All Proposals for RFP-COT ENG 10-44, Architect and Engineering Services for the Final Design of the Troy Multi-Modal Transit Facility. Advise MDOT That City Council Rejects the \$8,485,212 Grant from the Federal Rail Administration and Forward This Resolution to the State of Michigan Department of Transportation and Federal Rail Administration*

Resolution #2011-12-285
Moved by Tietz
Seconded by Henderson

WHEREAS, On September 12, 2011, the Troy City Council passed the following Resolution (2011-09-210):

Resolution #2011-09-210:

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.

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

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.

WHEREAS, The Troy City Council has decided that it is not going to hire the highest rated firm as a result of a qualification based selection process, as directed by MDOT or any other architect to complete the final design for the Troy Multi-Modal Transit Facility, which is a tacit abandonment of the Project.

THEREFORE BE IT RESOLVED, The Troy City Council hereby **REJECTS ALL** proposals for RFP-COT ENG 10-44, Architect and Engineering Services, opened November 2, 2011, for the Final Design of the Troy Multi-Modal Transit Facility.

BE IT FURTHER RESOLVED, The City Council of the City of Troy **ADVISES** MDOT that City Council rejects the \$8,485,212 grant from the Federal Rail Administration and **FORWARDS** this resolution to the State of Michigan Department of Transportation and the Federal Rail Administration, as administrator of the \$8,485,212 ARRA grant funds.

Yes: Tietz, Daniels

No: Campbell, Fleming, Henderson, McGinnis, Slater

MOTION FAILED

a) **Approval of MDOT Sub-Contract with Hubbell, Roth & Clark, Inc. for Architect Engineering Services for the Final Design of the Troy Multi-Modal Transit Facility**

Moved by Slater
Seconded by Campbell

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 for the final design and construction of the Troy Multi-Modal Transit Facility through the American Recovery and Reinvestment Act (ARRA) High-Speed Intercity Passenger Rail (HSIPR) Program, Federal Rail Administration (FRA), as secured through a TIGER grant; 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 Detroit Region Aerotropolis projects; and

WHEREAS, The purpose of the project is to benefit intercity passenger rail service, and the City is committed to helping achieve, the extent to which it is capable, the anticipated project benefits; and

WHEREAS, The highest rated bidder, Hubbell, Roth & Clark, Inc. of Pontiac, MI was selected using a Qualifications Based Selection process;

THEREFORE BE IT RESOLVED, That Troy City Council hereby **AWARDS** the MDOT sub-contract between the City of Troy and Hubbell, Roth & Clark, Inc. to provide architectural and engineering services for the final design of the Troy Multi-Modal Transit Facility at an estimated cost not to exceed \$904,489.03.

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

BE IT FINALLY RESOLVED, The Mayor and City Clerk are **AUTHORIZED** to **EXECUTE** the agreements once in acceptable form and upon approval from the Michigan Department of Transportation.

Resolution to Amend Item [I-6 Executive Summary – Transit Center a\) Approval of MDOT Sub-Contract with Hubbell, Roth & Clark, Inc. for Architect Engineering Services for the Final Design of the Troy Multi-Modal Transit Facility](#)

Moved by Fleming
Seconded by

Resolved, That the preceding *Resolution to Amend by Substitution Item I-6 Executive Summary – Transit Center a) Approval of MDOT Sub-Contract with Hubbell, Roth & Clark, Inc. for Architect Engineering Services for the Final Design of the Troy Multi-Modal Transit Facility* be **AMENDED** to read as follow:

Resolved, That City Council **AMENDS** Item *I-6 Executive Summary – Transit Center a) Approval of MDOT Sub-Contract with Hubbell, Roth & Clark, Inc. for Architect Engineering Services for the Final Design of the Troy Multi-Modal Transit Facility* to have a thorough value engineering review conducted by the architects and engineers already chosen for this project and have them give us a design that caps the total expenditures at no more than \$6 million dollars, including contingencies; in addition, if the revised resolution is passed for this project capping the total expenditures at no more than \$6 million dollars; a request that the business community through the Chamber of Commerce commit to finding ways to assist the City to pay for the annual operating expenses if, in fact, that the expenses are in excess of the revenue generated for this transit center to ensure that the operations for this facility are cost neutral to the City of Troy.

The motion to amend was not seconded.

Vote on Motion to Amend *I-6 Executive Summary – Transit Center a) Approval of MDOT Sub-Contract with Hubbell, Roth & Clark, Inc. for Architect Engineering Services for the Final Design of the Troy Multi-Modal Transit Facility*

Resolution #2011-12-286

Moved by Slater

Seconded by McGinnis

Resolved, That the preceding *Resolution to Amend by Substitution Item I-6 Executive Summary – Transit Center a) Approval of MDOT Sub-Contract with Hubbell, Roth & Clark, Inc. for Architect Engineering Services for the Final Design of the Troy Multi-Modal Transit Facility* be **AMENDED** to read as follow:

Resolved, That City Council **AMENDS** Item *I-6 Executive Summary – Transit Center a) Approval of MDOT Sub-Contract with Hubbell, Roth & Clark, Inc. for Architect Engineering Services for the Final Design of the Troy Multi-Modal Transit Facility* to have a thorough value engineering review conducted by the architects and engineers already chosen for this project and have them give us a design that caps the total expenditures at no more than \$7.56 million dollars, with a contingency of \$700,000, to achieve a potential total cost of \$6.8 million dollars; in addition, if the revised resolution is passed for this project capping the total expenditures at no more than \$7.5 million dollars, with a contingency of \$700,000, a request that the business community through the Chamber of Commerce commit to finding ways to assist the City to pay for the annual operating expenses if, in fact, that the expenses are in excess of the revenue generated for this transit center to ensure that the operations for this facility are cost neutral to the City of Troy.

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

MOTION FAILED

Vote on Motion [I-6](#) Executive Summary – Transit Center a) Approval of MDOT Sub-Contract with Hubbell, Roth & Clark, Inc. for Architect Engineering Services for the Final Design of the Troy Multi-Modal Transit Facility

Resolution #2011-12-287

Moved by Slater

Seconded by Campbell

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 for the final design and construction of the Troy Multi-Modal Transit Facility through the American Recovery and Reinvestment Act (ARRA) High-Speed Intercity Passenger Rail (HSIPR) Program, Federal Rail Administration (FRA), as secured through a TIGER grant; 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 Detroit Region Aerotropolis projects; and

WHEREAS, The purpose of the project is to benefit intercity passenger rail service, and the City is committed to helping achieve, the extent to which it is capable, the anticipated project benefits; and

WHEREAS, The highest rated bidder, Hubbell, Roth & Clark, Inc. of Pontiac, MI was selected using a Qualifications Based Selection process;

THEREFORE BE IT RESOLVED, That Troy City Council hereby **AWARDS** the MDOT sub-contract between the City of Troy and Hubbell, Roth & Clark, Inc. to provide architectural and engineering services for the final design of the Troy Multi-Modal Transit Facility at an estimated cost not to exceed \$904,489.03.

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

BE IT FINALLY RESOLVED, The Mayor and City Clerk are **AUTHORIZED** to **EXECUTE** the agreements once in acceptable form and upon approval from the Michigan Department of Transportation.

Yes: McGinnis, Slater, Campbell

No: Henderson, Tietz, Daniels, Fleming

MOTION FAILED

F. PUBLIC COMMENT: continued

Sonneville, DuAnne	Spoke in regards to a comment made by Mayor Daniels.
Kruper, Eileen	Spoke in regards to a comment made by Mayor Daniels.
Savage, James	Spoke about the divisive political climate in Troy.
Kulesza, Christopher	Spoke about transit facilities and a comment made by Mayor Daniels.
Miller, Andrea	Spoke in regards to a comment made by Mayor Daniels.
Unknown Person	Spoke about opinion related to a comment made by Mayor Daniels.
Schepke, Gordon	Spoke about respect between City Council and residents.
Grix, James E.	Spoke about public comment.
Abraham, Edna	Spoke about respect between City Council and residents.
Clark, Glenn	Spoke about Home for the Holiday's Shop Troy campaign with the business community and also Item L-1 Council Referrals.

G. RESPONSE / REPLY TO PUBLIC COMMENT

H. POSTPONED ITEMS:

H-1 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 – Postponed from November 21, 2011

Resolution #2011-12-288

Moved by Fleming

Seconded by Henderson

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 2350 Meijer, Troy, MI 48084, Parcel #; 88-20-32-200-018, in the name of Faurecia Automotive Seating, Inc.; and

WHEREAS, Per the Letter of Agreement, between Faurecia Automotive Seating, Inc. and the City of Troy, and per Public Act 198 of 1974, as amended, Faurecia Automotive Seating, Inc. 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, Faurecia Automotive Seating, Inc. 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 Faurecia Automotive Seating, Inc. 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 # 2008-507, and hereby **VACATES** the Industrial Development District (IDD) previously granted to Faurecia Automotive Seating, Inc.,

for property located at 2350 Meijer, Troy, MI 48084, Parcel # 88-20-32-200-018, effective December 31, 2011; and

BE IT ALSO RESOLVED, That Troy City Council hereby **DIRECTS** the City Treasurer to invoice Faurecia Automotive Seating, Inc. 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 Faurecia Automotive Seating, Inc. at 2350 Meijer, Troy, MI 48084.

Yes: All-7

No: None

MOTION CARRIED

I. REGULAR BUSINESS:

I-1 Board and Committee Appointments: None Scheduled

I-2 Board and Committee Nominations: None Scheduled

I-3 No Closed Session Requested

I-4 Agreement to Provide Fleet Maintenance Services – City of Center Line

Resolution #2011-12-289

Moved by McGinnis

Seconded by Campbell

RESOLVED, That Troy City Council hereby **APPROVES** the Interlocal Service Agreement for the City of Troy to provide fleet maintenance services to the City of Center Line; the City Clerk and Mayor are **AUTHORIZED** to execute the agreements.

Yes: All-7

No: None

MOTION CARRIED

I-5 Resolution to Schedule a Public Hearing for City of Royal Oak Hospital Finance Authority – William Beaumont Hospital

Resolution #2011-12-290

Moved by Fleming

Seconded by McGinnis

WHEREAS, William Beaumont Hospital is anticipating a financing through the City of Royal Oak Hospital Financing Authority utilizing tax-exempt bonds; and

WHEREAS, The Internal Revenue Code of 1986, as amended (the "Code"), requires a public hearing before authorizing the issuance of bonds by a hospital authority in all jurisdictions benefitting from the issuance; and

WHEREAS, A portion of the proceeds of the bonds will be used to construct, acquire, renovate, equip, rehabilitate and/or improve hospital facilities in the City of Troy as well as to refund bonds, the proceeds of which were used to construct an addition to William Beaumont Hospital – Troy.

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **SCHEDULES** a public hearing for Monday, January 9, 2012 at 7:30 PM in Council Chambers of Troy City Hall, 500 W. Big Beaver, Troy, MI 48084 for the purpose of receiving public input on the City of Royal Oak Hospital Financing Authority issuing tax-exempt bonds for William Beaumont Hospital.

Yes: All-7
No: None

MOTION CARRIED

J. CONSENT AGENDA:

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

Resolution #2011-12-291
Moved by McGinnis
Seconded by Campbell

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

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 #2011-12-291-J-2

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

- a. Regular City Council Meeting of December 5, 2011

J-3 Proposed City of Troy Proclamations: None Submitted

J-4 Standard Purchasing Resolutions:**a) Standard Purchasing Resolution 1: Award to Low Bidder – Asphalt Paving Materials – Hot Patch**

Resolution #2011-12-291-J-4a

RESOLVED, That Troy City Council hereby **AWARDS** a one-year contract to provide asphalt paving materials hot patch to the lowest total bidder, Barrett Paving Materials, Inc. of Troy, for an estimated total cost of \$91,500.00 at unit prices contained in the bid tabulation opened November 23, 2011, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with contract expiring December 31, 2012.

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

b) Standard Purchasing Resolution 2: Bid Award: Sole Bidder – Fuel Pump Replacement - DPW

Resolution #2011-12-291-J-4b

RESOLVED, That Troy City Council hereby **AWARDS** a contract for fuel pump replacements at the DPW facility to the sole bidder, Oscar W Larson Company of Clarkston, MI, for an estimated total cost of \$31,780.00.

BE IT FURTHER RESOLVED, That the award is **CONTINGENT UPON** contractors' submission of properly executed bid and proposal documents including insurance certificates, permits and all other specified requirements.

J-5 Traffic Committee Recommendations and Minutes – November 16, 2011

Resolution #2011-12-291-J-5

Item 3: Barclay at Holly – Speed Study

RESOLVED, That the Traffic Committee **RECOMMENDS** no changes at the intersection of Barclay at Holly.

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

Vote on Resolution to Suspend Rules of Procedure for the City Council, Rule #26 – Continued Agenda Items Not Considered Before 12:00 AM

Resolution #2011-12-292

Moved by Tietz

Seconded by Campbell

RESOLVED, That City Council hereby **SUSPENDS** Rules of Procedure for the City Council, Rule #26 - *Continued Agenda Items Not Considered Before 12:00 AM* and **AUTHORIZE** City Council to **EXTEND** the adjournment time to complete items on the Agenda.

Yes: All-7

No: None

MOTION CARRIED

L-1 Council Referrals:

a) Mayor Pro Tem McGinnis Submitted Proposed Resolution and Revised Troy City Council Code of Ethics

Resolution #2011-12-293

Moved by McGinnis

Seconded by Fleming

WHEREAS, The Troy City Council believes that all public officials need to be exemplary representatives of their community; and

WHEREAS, Guidelines for expected conduct clarify expectations; and

WHEREAS, On October 18, 2010, the Troy City Council adopted a Code of Ethics; and

WHEREAS, There is now an opportunity for the current City Council to again express its commitment to adhere to a revised Code of Ethics.

NOW THEREFORE, BE IT RESOLVED, That the Troy City Council **ADOPTS** the following Code of Ethics as the guideline for expected conduct of all Troy City Council Members:

TROY CITY COUNCIL
CODE OF ETHICS

The Troy City Council shall:

- Respect the confidentiality of privileged information;
- Recognize that an individual council member has no authority to speak or act for council;
- Work with other council members to establish effective policies;
- Delegate authority for the running of the city to the manager and staff;
- Encourage the free expression of opinion by all council members;
- Seek systematic communications between council, staff, and all elements of the community;
- Render all decisions based on the available facts and independent judgment rather than succumbing to the influence of individuals or special interest groups;
- Make every effort to attend all meetings;
- Become informed concerning the issues to be considered at each meeting;
- Avoid conflicts of interest or the appearance thereof;
- Refrain from using this position for personal benefit, nor for the benefit of family members or business associates;
- Use the same care and caution when using electronic media as would be exercised when speaking face-to-face or through written memoranda;
- Avoid use of derogatory or denigrating language.

Yes: All-7

No: None

MOTION CARRIED

M. COUNCIL COMMENTS

M-1 No Council Comments Advanced

Mayor Pro Tem McGinnis announced two City of Troy sponsored Red Cross Blood Drives to be held at the Troy Community Center in Room 305 on December 28, 2011 and December 29, 2011 from 9:00 AM – 3:00 PM. Please contact Community Affairs Department at (248) 524-1147 to schedule an appointment or at www.redcrossblood.org (access code is Troy).

Council Member Tietz would like a Study Session on January 23, 2012 to discuss Item **N-5** Publically Funded Health Insurance Contributions Act ("Public Act 152 of 2011").

Mayor Daniels requested confirmation of the Snow Removal Policy, and requests a tour of the City of Troy Department of Public Works Facility.

Mayor Daniels requests that City Council accompany her at the podium when presenting proclamations.

N. REPORTS

N-1 Minutes – Boards and Committees:

- a) Civil Service Commission (Act 78)-Final-October 14, 2010
 - b) Civil Service Commission (Act 78)-Final-September 22, 2011
 - c) Planning Commission-Special/Study-Draft-October 25, 2011
 - d) Planning Commission-Special/Study-Final-October 25, 2011
 - e) Civil Service Commission (Act 78)-Draft-December 8, 2011
- Noted and Filed

N-2 Department Reports:

- a) Building Department Report – November 2011
 - b) 2011 City, Village and Township Millage Rates
- Noted and Filed

N-3 Letters of Appreciation:

- a) Letter of Appreciation to Chief Mayer from Nancy Morrison – Troy Community Coalition Thanking Officer Feld for a Presentation
 - b) Letter of Appreciation to Chief Mayer from Agent Jeffrey Frost – United States Secret Service Thanking Lieutenant Gordon, Officer Stopczynski, Officer Minton, Officer Raczka, Officer Breidenich, and Officer Julian for Assistance
- Noted and Filed

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

Noted and Filed

N-5 Publically Funded Health Insurance Contributions Act (“Public Act 152 of 2011”)

Noted and Filed

O. STUDY ITEMS

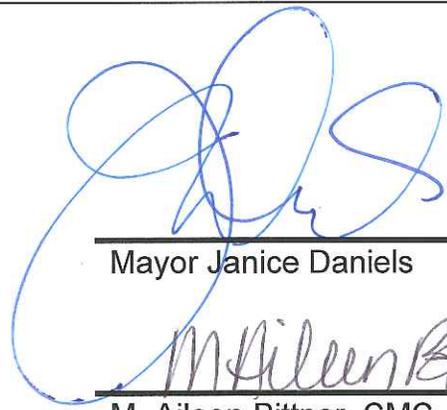
O-1 No Study Items Submitted

P. CLOSED SESSION:

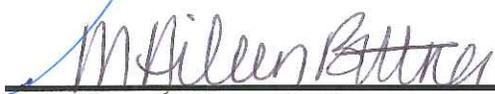
P-1 No Closed Session Requested

Q. ADJOURNMENT

The meeting adjourned at 12:06 AM.



Mayor Janice Daniels



M. Aileen Bittner, CMC
City Clerk