

Regular Meeting of the Troy City Council was held Monday, December 15, 2008, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:30 PM.

Pastor Cliff Johnson of Woodside Bible Church gave the Invocation and the Pledge of Allegiance to the Flag was given.

CERTIFICATES OF RECOGNITION:

A-1 Presentations:

- a) Mayor Louise Schilling presented the *Fleet Maintenance Division for Top 20 Fleets in the Nation Recognition* award to representatives of the Public Works Department. Mayor Louise Schilling and Sam Lamerato, Superintendent of Fleet Maintenance presented the *Hero Award* to Mike Blitchok.
- b) Tom Darling of the Rehmann Robson Group presented the *Independent Auditor's Report for the Fiscal Year Ended June 30, 2008*.
- c) John M. Lamerato, Assistant City Manager/Finance & Administration presented of an *Audit Recap*.

CARRYOVER ITEMS:

B-1 No Carryover Items

PUBLIC HEARINGS:

C-1 Rezoning Application – Proposed Office Building, South Side of Wattles, East of Rochester Road (1100 and 1120 E. Wattles), Section 23 – R-1C to O-1 (File Number Z-732)

The Mayor opened the Public Hearing for public comment.

The Mayor closed the Public Hearing after receiving comment from the public:

Kimberly Flag-Opposed

James Ther-Opposed

Mike Flores-Opposed

Anne Marie Garvin-Opposed

Vote on Resolution to Postpone Rezoning Application – File Number Z-732

Resolution #2008-12-362

Moved by Kerwin

Seconded by Eisenbacher

WHEREAS, The City is in receipt of a rezoning request, from R-1C to O-1, File Number Z-732, as demonstrated by the Ordinance to amend Chapter 39 of the Code of the City of Troy and as illustrated in the attached Certified Survey; and

WHEREAS, The applicant has provided a letter requesting postponement so that they can submit a conditional rezoning application;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **POSTPONES** the proposed rezoning from R-1C to O-1, to provide the applicant an opportunity to submit a conditional rezoning application to the Planning Commission for their consideration.

Yes: Schilling, Broomfield, Eisenbacher, Fleming, Howrylak, Kerwin
No: Beltramini

MOTION CARRIED

C-2 Rezoning Application – Proposed Maple Business Center, North Side of Maple, East of Castleton (2795 and 2797 E. Maple), Section 25 – R-1E to B-1 (File Number Z-733)

The Mayor opened the Public Hearing for public comment.
The Mayor closed the Public Hearing after receiving comment from the petitioner. There was no public comment.

Resolution #2008-12-363
Moved by Beltramini
Seconded by Howrylak

RESOLVED, That Troy City Council hereby **REFERS** the rezoning request, from R-1E to B-1, File Number Z-733, back to the Planning Commission to explore other options that could include conditional rezoning.

Yes: All-7

MOTION CARRIED

C-3 Concept Development Plan Approval – BBK Mixed Use Project – Northeast Corner of Big Beaver and Kilmer, Section 22, Currently Zoned O-1 (Low Rise Office) and R-1E (One Family Residential) District

The Mayor opened the Public Hearing for public comment.

Resolution to Table Agenda Item C-3 *Concept Development Plan Approval*

Resolution #2008-12-364
Moved by Kerwin
Seconded by Broomfield

RESOLVED, That Troy City Council hereby **TABLES** agenda item C-3 *Concept Development Plan Approval – BBK Mixed Use Project – Northeast Corner of Big Beaver and Kilmer, Section 22, Currently Zoned O-1 (Low Rise Office) and R-1E (One Family Residential) District* until after the completion of D-1 *Transit Center Cost Sharing Agreement*.

Yes: All-7

MOTION CARRIED

POSTPONED ITEMS:

D-1 Transit Center Cost Sharing Agreement

Resolution #2008-12-365
Moved by Kerwin
Seconded by Beltramini

RESOLVED, That Troy City Council hereby **APPROVES** the Interlocal Agreement between the City of Troy and the City of Birmingham, which equally divides the cost of a Project Manager for the proposed Troy/Birmingham Intermodal Transit Center; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Mayor and City Clerk to execute the Interlocal Service Agreement on behalf of the City of Troy, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: Eisenbacher, Fleming, Kerwin, Schilling, Beltramini, Broomfield
No: Howrylak

MOTION CARRIED

The meeting **RECESSED** at 10:16 PM.

The meeting **RECONVENED** at 10:26 PM.

C-3 Concept Development Plan Approval – BBK Mixed Use Project – Northeast Corner of Big Beaver and Kilmer, Section 22, Currently Zoned O-1 (Low Rise Office) and R-1E (One Family Residential) District

The Mayor closed the Public Hearing after receiving comment from the petitioner and the public:

Gerald Savel-Opposed Kristen Sonnevile-Opposed Kevin Douglass-Opposed

Resolution #2008-12-366
Moved by Eisenbacher
Seconded by Kerwin

WHEREAS, The petitioner Landus Development has requested Concept Development Plan approval, pursuant to article 35.50.01, for BBK Mixed-Use Planned Unit Development (PUD 10), located on the northeast corner of Big Beaver and Kilmer, in Section 22, within the O-1 and R-1E zoning districts, being approximately 2.546 acres in size;

WHEREAS, The Planning Commission recommended approval of the Concept Development Plan on November 11, 2008;

WHEREAS, The City's Planning Consultant Richard Carlisle of Carlisle/Wortman Associates, Inc. prepared a memorandum dated November 6, 2008 that recommends Concept Development Plan approval of BBK Mixed-Use Planned Unit Development;

WHEREAS, The proposed PUD meets the Standards for Approval set forth in Article 35.30.00; and

WHEREAS, The proposed Planned Unit Development, parcels 88-20-22-383-001, -002, -003 & -006 and 88-20-22-382-012, is described in the following legal description and illustrated on the attached boundary survey drawing:

T2N, R11E, SW 1/4 of Section 22

Commencing at the South ¼ corner of said Section 22; thence along the South line of said Section 22, N 88°40'00" W 165.42 ft.; thence N 01° 32' 14" E, 102.00 ft. to the North line of Big Beaver Rd. (102 ft. half width) and the point of beginning; thence along said North line, N 88°40'00" W, 272.73 ft. to the West line of "Replat of Out Lot A of Big Beaver Subdivision" (Liber 26, pg. 17, of Oakland County Records); thence along said West line and the West line of "Burgess Bungalow Subdivision" (Liber 46, pg. 34, of Oakland County Records), said line also being the East line of Kilmer Rd. (50 ft. width), N 01° 32' 14" E, 368.37 ft. to the North line of Lot 17 of Burgess Bungalow Subdivision; thence along said North line S 88°40'00" E, 122.88 ft. to the East line of said Lot 17; thence along said East line S 01°32'14" W, 22.50 ft. to the North line of Lot 20 of Burgess Bungalow Subdivision; thence along said North lines of Lots 20, 21 and 22 of Burgess Bungalow Subdivision, S 88°40'00" E, 149.85 ft. to the East line of the aforementioned subdivision, said line also being the West line of "Willow Centre" O. C. C. P. No. 1272, as recorded in Liber 21524, pg. 591 of Oakland County Records; thence along said lines S 01°32'14" W, 162.50 ft. to the South line of said condominium; thence along said South line S 88°40'00" E, 75.20 ft. to the West line of said condominium; thence along said West line, S 01°32'14" W, 183.37 ft. to the aforementioned North line of Big Beaver Rd.; thence along said North line, N 88°40'00" W, 75.20 ft. to the Point of Beginning. Containing 2.546 acres more or less, subject to all easements and restrictions of record;

BE IT RESOLVED, That Troy City Council hereby **AUTHORIZES** the Planning Director and City Clerk to take whatever actions are necessary pursuant to the City Ordinance to effect the rezoning of the subject parcel to PUD; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AMENDS** the Zoning District Map of the City of Troy Zoning Ordinance to delineate the subject parcel as PUD-010; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** the attached Planned Unit Development Agreement and hereby **AUTHORIZES** the Mayor and City Clerk to execute the Planned Unit Development Agreement for BBK Mixed-Use Planned Unit Development on behalf of the City, a copy shall be **ATTACHED** to the original Minutes of this meeting; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to record the executed BBK Mixed-Use Planned Unit Development Agreement with the Oakland County Register of Deeds; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **APPROVES** the Concept Development Plan for BBK Mixed-Use Planned Unit Development and the petitioner is hereby permitted to submit Preliminary Development Plans pursuant to Article 35.50.02 of Chapter 39.

Yes: Fleming, Kerwin, Schilling, Beltramini, Broomfield, Eisenbacher

No: Howrylak

MOTION CARRIED

PUBLIC COMMENT: Limited to Items Not on the Agenda

REGULAR BUSINESS:

E-1 Appointments to Boards and Committees: a) Mayoral Appointments: Planning Commission b) City Council Appointments: No Appointments brought forward

(a) Mayoral Appointments

Resolution #2008-12-367

Moved by Schilling

Seconded by Fleming

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

Planning Commission

Appointed by Mayor (9-Regular) – 3-Year Terms

Donald L. Edmunds

Unexpired Term 12/31/2010

Yes: All-7

MOTION CARRIED

(b) City Council Appointments – No Appointments brought forward

E-2 Nominations for Appointments to Boards and Committees: (a) Mayoral Nominations: None Scheduled (b) City Council Nominations: Advisory Committee for Persons with Disabilities

(a) Mayoral Nominations – None Scheduled

(b) City Council Nominations

Resolution #2008-12-368
Moved by Howrylak
Seconded by Beltramini

RESOLVED, That the 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:

Advisory Committee for Persons with Disabilities

Appointed by Council (9-Regular; 3-Alternate) 3-Year Term

Michael Wilson - Alternate

Unexpired Term 11/01/2009

Yes: All-7

MOTION CARRIED

E-3 Bid Waiver – Global Positioning System (GPS) Tracking Devices

Resolution #2008-12-369
Moved by Kerwin
Seconded by Beltramini

WHEREAS, Global Positioning System (GPS) Tracking Devices are used by law enforcement to conduct covert investigations to monitor criminal activity;

WHEREAS, A short list of companies offer law enforcement grade GPS tracking units, which differ in technology used and overall functionality; and

WHEREAS, After an exhaustive search, the Troy Police Department has determined that Coleman Technologies offers the best system, which includes real “live” time tracking, three-year all inclusive service and warranty plan, no activation fee, and 24/7 technical support;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **WAIVES** formal bidding procedures and hereby **APPROVES** a contract to purchase hardware, software, and services for the Platinum All In One Agent system from Coleman Technologies, Inc. of Orlando, FL, for an estimated total cost of \$28,268.00, as detailed on quote #Q0073.0556.538.1, a copy of which is **ATTACHED** to the original Minutes of this meeting, plus ongoing license renewals, updates and technical support as needed.

Yes: All-7

MOTION CARRIED

E-4 Deficit Elimination Plans

Resolution #2008-12-370
Moved by Beltramini
Seconded by Broomfield

RESOLVED, That Troy City Council hereby **APPROVES** and **ADOPTS** the Downtown Development Authority, Aquatic Center and Sanctuary Lake Golf Course Deficit Elimination Plans presented to this meeting.

Yes: All-7

MOTION CARRIED

E-5 Agreement to Provide Inspection Services – City of Madison Heights

Resolution #2008-12-371
Moved by Eisenbacher
Seconded by Fleming

RESOLVED, That Troy City Council hereby **APPROVES** the Interlocal Service Agreement for the City of Troy to provide inspection services to the City of Madison Heights and hereby **AUTHORIZES** the Mayor and City Clerk to execute the agreement, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7

MOTION CARRIED

E-6 Contract Ratification – Troy Command Officers Association (TCOA) 2008-2011

Resolution #2008-12-372
Moved by Beltramini
Seconded by Fleming

RESOLVED, That Troy City Council hereby **RATIFIES** a collective bargaining agreement between the City of Troy and Troy Command Officers Association (TCOA) for the period July 1, 2008 through June 30, 2011, and hereby **AUTHORIZES** the Mayor and City Clerk to execute the final agreement.

Yes: Eisenbacher, Fleming, Kerwin, Schilling, Beltramini, Broomfield
No: Howrylak

MOTION CARRIED

E-7 Cost Participation Agreement with Clawson Main Street (Livernois), Broadacre Avenue to Maple Road – Project No. 07.102.5 and 07.502.5

Resolution #2008-12-373
Moved by Beltramini
Seconded by Eisenbacher

RESOLVED, That Troy City Council hereby **APPROVES** the Cost Participation Agreement between the City of Troy and the City of Clawson for the reconstruction of Main Street (Livernois), from Broadacre to Maple, Project No. 07.102.5 and 07.502.5, and hereby **AUTHORIZES** the Mayor and City Clerk to execute the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7

MOTION CARRIED

E-8 Approval of Fees for Preliminary Breath Tests Administered at the Troy Police Desk

Resolution #2008-12-374
Moved by Schilling
Seconded by Kerwin

WHEREAS, The Troy Police Department has administered Preliminary Breath Tests (PBTs) at the Troy Police Department for individuals who are required to submit to such tests as a condition of probation;

WHEREAS, The City of Troy Police Department currently administers PBTs at no charge;

WHEREAS, The City of Troy Police Department has administered a significant number of PBTs to non-residents, which may be due to the fact that other communities charge for the administration of PBTs;

WHEREAS, The free administration of PBTs has resulted in a significant cost in both personnel and materials to the City of Troy Police Department;

WHEREAS, Based on past experience, there is a high demand for the administration of PBT testing during holiday periods or other college break periods of time;

WHEREAS, This higher demand for PBT administration is likely to commence before December 25, 2008, the effective date of the amendment to Chapter 60, Section 3 (Fees);

WHEREAS, Pursuant to Section 5.3 of the Troy City Charter, the effective date of ordinance amendments is ten days after enactment;

WHEREAS, Section 5.3 of the Troy City Charter allows for an emergency ordinance which may be effective earlier than the normal ten day period for the preservation of public peace, health or safety;

WHEREAS, The City of Troy is operating in a deficit situation and is striving to reduce its budget deficit by assessing fees when appropriate to recover costs for services, and the immediate effective date will provide for the assessment of charges for PBT administration, which will further the public peace, health, and/or welfare; and

WHEREAS, A charge of \$5.00 to residents of the City of Troy and \$10.00 to non-residents is designed to recoup the costs of administering PBTs at the Troy Police Department;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **ADOPTS** the Emergency Ordinance Amendment to Chapter 60, Section 3, Fee Schedule, effective immediately, to add a fee for PBT administration, as recommended by City Administration, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7

MOTION CARRIED

E-9 Agreement of Understanding – The Village at Big Beaver Planned Unit Development (PUD 7), Southwest Corner of Big Beaver and John R – Section 26

Resolution #2008-12-375

Moved by Kerwin

Seconded by Eisenbacher

RESOLVED, That Troy City Council hereby **APPROVES** the attached proposed Agreement of Understanding for the Village at Big Beaver Planned Unit Development (PUD 7), located at the southwest corner of Big Beaver and John R, in Section 26; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **AUTHORIZES** the Mayor and City Clerk to execute the agreement, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: Kerwin, Schilling, Beltramini, Broomfield, Eisenbacher, Fleming

No: Howrylak

MOTION CARRIED

CONSENT AGENDA:

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

Resolution #2008-12-376

Moved by Kerwin

Seconded by Broomfield

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Items F-8, F-9 and F-12, which **SHALL BE CONSIDERED** after Consent Agenda (F) items, as printed.

Yes: All-7

MOTION CARRIED

F-2 Approval of City Council Minutes

Resolution #2008-12-376-F-2

RESOLVED, That Troy City Council hereby **APPROVES** the Minutes of the 7:30 PM Regular City Council Meeting of December 1, 2008 as submitted.

F-3 Proposed City of Troy Proclamation(s): None Submitted

F-4 Standard Purchasing Resolutions**a) Standard Purchasing Resolution #10: Travel Authorization and Approval to Expend Funds for Council Member Travel Expenses – Michigan Municipal League’s Capital Conference 2009**

Resolution #2008-12-376-F-4a

RESOLVED, That Troy City Council hereby **AUTHORIZES** Council members to attend the Michigan Municipal League’s 2009 Capital Conference on March 3 – 4, 2009 in Lansing, Michigan, in accordance with accounting procedures of the City of Troy.

b) Standard Purchasing Resolution #1: Award to Low Bidders – Water System Materials

Resolution #2008-12-376-F-4b

RESOLVED, That Troy City Council hereby **AWARDS** contracts to provide one-year requirements of Water System Materials to the following low bidders: East Jordan Iron Works of Oak Park, MI, Gunners Meters & Parts of Pontiac, MI, SLC Meter Service, Inc. of Davisburg, MI, and HD Supply Waterworks of Shelby Township, MI; at unit prices contained in the bid tabulation opened November 12, 2008, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-5 Traffic Committee Recommendations – November 19, 2008**a) No Changes at Torpey Drive and Rochester Road**

Resolution #2008-12-376-F-5a

RESOLVED, That there be **NO CHANGES** at Torpey Drive and Rochester Road.

b) Traffic Control Order 08-07-MR be Rescinded

Resolution #2008-12-376-F-5b

RESOLVED, That Traffic Control Order 08-07-MR be **RESCINDED**.

c) Replace Yield Signs on Ellenboro at Trombley with Stop Signs

Resolution #2008-12-376-F-5c

RESOLVED, That Traffic Control Order No. 08-01-SS be **ISSUED** to replace the YIELD signs on Ellenboro at Trombley with **STOP** signs.

d) Replace Yield Sign on Enterprise at Robinwood with Stop Sign

Resolution#2008-12-376-F-5d

RESOLVED, That Traffic Control Order No. 08-02-SS be **ISSUED** to replace the **YIELD** sign on Enterprise at Robinwood with a **STOP** sign.

e) Establishment of Fire Lanes/Tow Away Zones at 2477 West Maple

Resolution #2008-12-376-F-5e

RESOLVED, That Traffic Control Order No. 08-10-MR be **ISSUED** for the establishment of fire lanes/tow away zones at 2477 West Maple as recommended by the Fire Department.

F-6 Approval of Purchase Agreement – Wattles Road Improvements, Bristol to Worthington – Project No. 01.106.5 – Parcel #1 – Sidwell #88-20-15-476-027 – Joan E. Facchini

Resolution #2008-12-376-F-6

RESOLVED, That Troy City Council hereby **APPROVES** the Agreement to Purchase Realty for Public Purposes between Joan E. Facchini, owner of property having Sidwell #88-20-15-476-027, and the City of Troy, for the acquisition of right-of-way for Wattles Road Improvements, Bristol to Worthington in the amount of \$40,000.00, plus closing costs; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Real Estate and Development Department to expend the necessary closing costs to complete this purchase according to the agreement; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to record the Warranty Deed with the Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-7 Approval of Purchase Agreement and Acceptance of Permanent Public Utility Easement – Rochester Road Improvements, Torpey to Barclay – Project No. 99.203.5 – Parcel #33 – Sidwell #88-20-22-276-056 – Douglas P. Blunden and Mary Ann Blunden

Resolution #2008-12-376-F-7

RESOLVED, That Troy City Council hereby **APPROVES** the Agreement to Purchase Realty for Public Purposes between Douglas P. Blunden and Mary Ann Blunden, owners of property

having Sidwell #88-20-22-276-056, and the City of Troy, for the acquisition of right-of-way for Rochester Road Improvements, Torpey to Barclay in the amount of \$72,100.00, plus closing costs; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Real Estate and Development Department to expend the necessary closing costs to complete this purchase according to the agreement; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **ACCEPTS** the Permanent Public Utility Easement in the amount of \$4,700.00 from Douglas P. Blunden and Mary Ann Blunden, owners of property having Sidwell #88-20-22-276-056; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to record the Warranty Deed and Permanent Public Utility Easement with the Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-10 Approval of Purchase Agreement and Acceptance of Permanent Public Utility Easement and Temporary Construction Permit – Rochester Road Improvements, Torpey to Barclay – Project No. 99.203.5 – Parcel #42 – Sidwell #88-20-22-226-072 – Hi-Tech Investment Company

Resolution #2008-12-376-F-10

RESOLVED, That Troy City Council hereby **APPROVES** the Agreement to Purchase Realty for Public Purposes between Hi-Tech Investment Company, owner of property having Sidwell #88-20-22-226-072, and the City of Troy, for the acquisition of right-of-way for Rochester Road Improvements, Torpey to Barclay in the amount of \$67,718.00, plus closing costs; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Real Estate and Development Department to expend the necessary closing costs to complete this purchase according to the agreement; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **ACCEPTS** the Permanent Public Utility Easement in the amount of \$7,267.00; and the Grading and Temporary Construction Permit in the amount of \$80.00 from Hi-Tech Investment Company, owner of property having Sidwell #88-20-22-226-072; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to record the Warranty Deed and Permanent Public Utility Easement with the Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-11 Private Agreement for Andrew St. Sanitary Sewer Extension – Project No. 06.405.3

Resolution #2008-12-376-F-11

RESOLVED, That Troy City Council hereby **APPROVES** the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and George Thomas, for the installation of sanitary sewer, sidewalks, and soil erosion on the site and in the adjacent

right of way, and hereby **AUTHORIZES** the Mayor and City Clerk to execute the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

F-13 Allocation of 2009 Tri-Party Program Funds

Resolution #2008-12-376-F-13

RESOLVED, That Troy City Council hereby **APPROVES** the 2009 Tri-Party program funding allocation of \$544,591.00 and the remaining 2008 Tri-Party program funds in the amount of \$50,585.00 be used, as required, for concrete slab replacements on County Roads, with \$198,392.00 being the City's share.

F-14 Approval to Temporarily Waive Parking Restrictions – Vanderpool

Resolution #2008-12-376-F-14

RESOLVED, That Troy City Council hereby **WAIVES** the no parking restrictions on Vanderpool Street near 865 Vanderpool on December 20, 2008, between the hours of 5:00 PM and 10:00 PM.

F-1b Address of "F" Items Removed for Discussion by City Council and/or the Public

F-8 Preliminary Site Condominium Review – Adams Road Site Condominium, East Side of Adams, South of South Boulevard, Section 6 – R-1A: No Action Taken by City Council

F-9 Winter Maintenance Agreement, Road Commission for Oakland County

Resolution #2008-12-377

Moved by Beltramini

Seconded Kerwin

RESOLVED, That Troy City Council hereby **APPROVES** the 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, and hereby **AUTHORIZES** the Mayor and City Clerk to execute the necessary documents, a copy of 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

MOTION CARRIED

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

Resolution #2008-12-378
 Moved by Schilling
 Seconded by Eisenbacher

RESOLVED, That City Council **SUSPEND** 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 12:30 AM.

Yes: All-7

MOTION CARRIED

F-12 License Agreement with St. Joseph Catholic Chaldean Church

Resolution #2008-12-379
 Moved by Eisenbacher
 Seconded Beltramini

RESOLVED, That Troy City Council hereby **APPROVES** the license agreement between St. Joseph Catholic Chaldean Church and the City of Troy for limited use of City property, described as:

T2N, R11E, Sec 25 Part of the NE ¼ of the NW ¼ Beginning at a point S 00-01-28 W, 968.66 FT & N 89-28-44 E, 1305.52 FT & N 00-13-40 W, 956.34 FT & S 89-38-09 E, 869.24 FT & S 00-12-46 E, 673.50 FT & N 89-31-04 E, 113.43 FT from the NW Section Corner; Thence N 89-31-04 E, 325.00 FT; Thence S 00-16-19 E, 700.00 FT; Thence S 89-31-04 W, 325.00 FT; Thence N 00-16-19 W, 700.00 FT to the point of beginning (Property),

for a period of three (3) years, beginning December 15, 2008 and ending December 15, 2011.

Yes: All-7

MOTION CARRIED

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings: None Submitted

G-2 Memorandums: None Submitted

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

H-1 No Council Referrals Advanced

COUNCIL COMMENTS:

I-1 Council Comments:

Council Member Kerwin complimented the former student who spoke on behalf of and is also currently active with the Troy Community Coalition's *Teens Taking Action* committee. Council Member Kerwin explained that the teens have circulated petitions for years reminding adults that they can pledge not to drink and drive during the holiday season. She asked that everyone bear that in mind as they celebrate the holidays and that they not drink and drive.

Council Member Beltramini attended last week's SEMCOG Executive Committee meeting and reported that the outlook is not good. She explained that the *Fiscal Capacity for Cities* report indicates that the property values in southeast Michigan are declining at such a rate that next year it is expected to be the last year that the region's taxable value will increase.

Council Member Beltramini further reported that SEMCOG is sponsoring two seminars, *Restructuring for Local Government*, open to staff and elected officials. Council Member Beltramini asked that she be contacted for additional information for those who are interested in participating in a webinar on January 27th or wishing to attend the seminar in person on January 29th in Sterling Heights.

Council Member Beltramini encouraged everyone to view the *Transportation Funding Task Force* report that is now available on SEMCOG's website.

REPORTS:

J-1 Minutes – Boards and Committees:

- a) Traffic Committee/Final – August 20, 2008
- b) Advisory Committee for Persons with Disabilities/Draft – October 1, 2008
- c) Advisory Committee for Persons with Disabilities/Final – October 1, 2008
- d) Building Code Board of Appeals/Final – November 5, 2008
- e) Planning Commission/Final – November 11, 2008
- f) Planning Commission Special/Study/Draft – November 25, 2008

Noted and Filed

J-2 Department Reports:

- a) Police Department – 2008 Year-To-Date Calls for Police Service Report
- b) Building Department – Permits Issued During the Month of November 2008

Noted and Filed

J-3 Letters of Appreciation:

- a) Letter from St. Alan's Church to Officer Andy Breidenich and the Troy Police Department Regarding Example and Assistance on Election Day
- b) Letter to Mayor Schilling from Resident Michelle Musial Applauding the City's Efforts Regarding the Recycling Program
- c) Letter of Appreciation to Chief Craft from George Barahal Regarding the Services and Treatment Received from Officer Brian Jones

- d) Letter of Thanks to Carla Vaughan from Jo Giroux Regarding the Leaf Raking Assistance
 - e) Letter of Thanks to Carla Vaughan and Parks and Recreation from Emily Lambert Regarding the Leaf Raking Assistance
- Noted and Filed

J-4 Proposed Proclamations/Resolutions from Other Organizations: None Submitted

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- J-5 Troy Youth Assistance Board Meeting Final Minutes – October 16, 2008**
- Noted and Filed

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- J-6 Communication from City Attorney Lori Grigg Bluhm Regarding Frank Lawrence v. City of Troy**
- Noted and Filed

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- J-7 Communication from Public Works Director Timothy Richnak Regarding Community Development Block Grant Information**
- Noted and Filed

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- J-8 Communication from Parks and Recreation Director Carol Anderson Regarding 2008 Best in Aquatics Award**
- Noted and Filed

-
- J-9 Submittal of the 2008 Comprehensive Annual Financial Report (CAFR)**
- Noted and Filed

STUDY ITEMS:

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- K-1 No Study Items Submitted**

PUBLIC COMMENT: Address of “K” Items

CLOSED SESSION:

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- L-1 No Closed Session Requested**

The meeting **ADJOURNED** on Tuesday, December 16, 2008 at 12:07 AM.

Louise E. Schilling, Mayor

Tonni L. Bartholomew, MMC
City Clerk