

# **AGENDA**

**Meeting of the**

## **CITY COUNCIL OF THE CITY OF TROY**

**MARCH 30, 2009**

**CONVENING AT 7:30 P.M.**

**Submitted By  
The City Manager**

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***NOTICE: Persons with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk at (248) 524-3316 or via e-mail at [clerk@troymt.gov](mailto:clerk@troymt.gov) at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.***

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TO: The Honorable Mayor and City Council  
Troy, Michigan

FROM: Phillip L. Nelson, City Manager

SUBJECT: Background Information and Reports

Ladies and Gentlemen:

This booklet provides a summary of the many reports, communications and recommendations that accompany your Agenda. Also included are suggested or requested resolutions and/or ordinances for your consideration and possible amendment and adoption.

Supporting materials transmitted with this Agenda have been prepared by department directors and staff members. I am indebted to them for their efforts to provide insight and professional advice for your consideration.

Identified below are outcome statements for the City, which have been advanced by the governing body; and Agenda items submitted for your consideration are on course with these goals.

### **Outcome Statements**

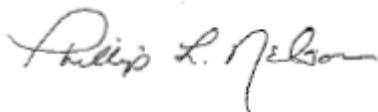
I. Troy enhances the health and safety of the community

II. Troy adds value to properties through maintenance or upgrades of infrastructure and quality of life venues

III. Troy is rebuilding for a healthy economy reflecting the values of a unique community in a changing and interconnected world

As always, we are happy to provide such added information as your deliberations may require.

Respectfully submitted,



Phillip L. Nelson, City Manager

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**CITY COUNCIL**

**AGENDA**

**March 30, 2009 – 7:30 PM  
Council Chambers  
City Hall - 500 West Big Beaver  
Troy, Michigan 48084  
(248) 524-3317**

**CALL TO ORDER:** **1**

**INVOCATION & PLEDGE OF ALLEGIANCE: First Baptist Church** **1**

**ROLL CALL** **1**

**CERTIFICATES OF RECOGNITION:** **1**

- A-1 Presentations: 1
  - a) On behalf of the City of Troy Employees' *Casual for a Cause* Program (December), Community Affairs Director Cindy Stewart will present a check in the amount of \$666.25 to Patricia Rosen, Executive Director for CARE House... 1
  - b) Award of Excellence from the Michigan Concrete Paving Association to Public Works Department/ Streets Division for 2008 Major Road Maintenance in the City of Troy ..... 1
  - c) Service Commendation – Ron Tschirhart (Personnel Board) in Recognition of Outstanding Service to the Community ..... 1

**CARRYOVER ITEMS:** **1**

B-1 No Carryover Items 1

**PUBLIC HEARINGS:** **1**

C-1 No Public Hearings 1

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**POSTPONED ITEMS:** **1**

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D-1 No Postponed Items 1

**PUBLIC COMMENT: Limited to Items Not on the Agenda** **1**

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**REGULAR BUSINESS:** **2**

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E-1 Appointments to Boards and Committees: a) Mayoral Appointments: Brownfield Redevelopment Authority and Economic Development Corporation b) City Council Appointments: Advisory Committee for Senior Citizens; Board of Zoning Appeals; Employee Retirement System Board of Trustees & Retiree Health Care Benefits Plan & Trust; Library Advisory Board; and Personnel Board 2

E-2 Nominations for Appointments to Boards and Committees: (a) Mayoral Nominations: None Scheduled (b) City Council Nominations: Advisory Committee for Senior Citizens; Board of Zoning Appeals; Charter Revision Committee; Ethnic Issues Advisory Board; Historic District Commission; Historic District Study Committee; Parks & Recreation Board; and Personnel Board 4

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**CALL TO ORDER:**

**INVOCATION & PLEDGE OF ALLEGIANCE: First Baptist Church**

**ROLL CALL**

- (a) Mayor Louise E. Schilling
- Robin Beltramini
- Cristina Broomfield
- David Eisenbacher
- Wade Fleming
- Mayor Pro Tem Martin Howrylak
- Mary Kerwin

**CERTIFICATES OF RECOGNITION:**

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**A-1 Presentations:**

- a) On behalf of the City of Troy Employees' *Casual for a Cause* Program (December), Community Affairs Director Cindy Stewart will present a check in the amount of \$666.25 to Patricia Rosen, Executive Director for CARE House
- b) Award of Excellence from the Michigan Concrete Paving Association to Public Works Department/ Streets Division for 2008 Major Road Maintenance in the City of Troy
- c) Service Commendation – Ron Tschirhart (Personnel Board) in Recognition of Outstanding Service to the Community

**CARRYOVER ITEMS:**

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- B-1** No Carryover Items

**PUBLIC HEARINGS:**

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- C-1** No Public Hearings

**POSTPONED ITEMS:**

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- D-1** No Postponed Items

**PUBLIC COMMENT: Limited to Items Not on the Agenda**

*Public comment limited to items not on the Agenda in accordance with the Rules of Procedure of the City Council, Article 16 - Members of the Public and Visitors.*

**REGULAR BUSINESS:**

*Persons interested in addressing the City Council on items, which appear on the printed Agenda, will be allowed to do so at the time the item is discussed upon recognition by the Chair in accordance with the Rules of Procedure of the City Council, Article 16, during the Public Comment section under item 10“E” of the agenda. Other than asking questions for the purposes of gaining insight or clarification, Council shall not interrupt or debate with members of the public during their comments. Once discussion is brought back to the Council table, persons from the audience will be permitted to speak only by invitation by Council, through the Chair. Council requests that if you do have a question or concern, to bring it to the attention of the appropriate department(s) whenever possible. If you feel that the matter has not been resolved satisfactorily, you are encouraged to bring it to the attention of the City Manager, and if still not resolved satisfactorily, to the Mayor and Council.*

*NOTE: Any item selected by the public for comment from the Regular Business Agenda shall be moved forward before other items on the regular business portion of the agenda have been heard. Public comment on Regular Agenda Items will be permitted under Agenda Item 10 “E”.*

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**E-1** **Appointments to Boards and Committees: a) Mayoral Appointments: Brownfield Redevelopment Authority and Economic Development Corporation b) City Council Appointments: Advisory Committee for Senior Citizens; Board of Zoning Appeals; Employee Retirement System Board of Trustees & Retiree Health Care Benefits Plan & Trust; Library Advisory Board; and Personnel Board**

The following Boards and Committees have expiring terms and/or vacancies. Bold black lines indicate the number of appointments required:

The appointment of new members to all of the listed Board and Committee vacancies will require only one motion and vote by City Council. Council members submit nominations for appointment at the meeting prior to consideration. Whenever the number of submitted names exceeds the number of vacancies, a separate motion and roll call vote will be required to confirm the nominee receiving the greatest number of votes in the Council polling process (current process of appointing). Remaining vacancies will automatically be carried over to the next Regular City Council Meeting Agenda for consideration.

**(a) Mayoral Appointments**

Suggested Resolution

Resolution #2009-03-

Moved by

Seconded by

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

**Brownfield Redevelopment Authority**

Appointed by Mayor (7-Regular) - 3-Year Terms

Arthur Cotsonika

Term Expires 04/30/2012

Joseph J. Vassallo

Term Expires 04/30/2012

**Economic Development Corporation**

Appointed by Mayor (9-Regular) - 6-Year Terms

Paul V. Hoef

Term Expires 04/30/2015

Barbara A. Knight

Term Expires 04/30/2015

Leger (Nino) Licari – City Assessor

Term Expires 04/30/2015

John Sharp

Term Expires 04/30/2015

Yes:

No:

**(b) City Council Appointments**

Suggested Resolution

Resolution #2009-03-

Moved by

Seconded by

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

**Advisory Committee for Senior Citizens**

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

Merrill Dixon

Term Expires 04/30/2012

JoAnn Thompson

Term Expires 04/30/2012

**Board of Zoning Appeals**

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

Michael Bartnik

Term Expires 04/30/2012

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

Appointed by Council – 3-Year Term

David Eisenbacher - City Council Representative

Term Expires 04/15/2012

**Library Advisory Board**

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

Kul B. Gauri

Term Expires 04/30/2012

**Personnel Board**

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

Laurie G. Huber

Term Expires 04/30/2012

Yes:

No:

**E-2 Nominations for Appointments to Boards and Committees: (a) Mayoral Nominations: None Scheduled (b) City Council Nominations: Advisory Committee for Senior Citizens; Board of Zoning Appeals; Charter Revision Committee; Ethnic Issues Advisory Board; Historic District Commission; Historic District Study Committee; Parks & Recreation Board; and Personnel Board**

The following Boards and Committees have expiring terms and/or vacancies. Bold black lines indicate the number of appointments required:

The nomination of applicants to the following listed Board and Committee vacancies will be moved forward to the next Regular City Council Meeting for consideration of appointment.

**(a) Mayoral Nominations – None Scheduled**

**(b) City Council Nominations**

Suggested Resolution

Resolution #2009-03

Moved by

Seconded by

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 Senior Citizens**

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

Term Expires 04/30/2012

Term Expires 04/30/2012

**Board of Zoning Appeals**

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

Term Expires 04/30/2012

**Charter Revision Committee**

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

Term Expires 04/30/2012

Term Expires 04/30/2012

Term Expires 04/30/2012

**Ethnic Issues Advisory Board**

Appointed by Council (9-Regular) – 2 & 3-Year Terms

Unexpired Term 09/30/2011

**Historic District Commission**

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

Term Expires 05/15/2012

Term Expires 05/15/2012

Term Expires 05/15/2012

**Historic District Study Committee**

Appointed by Council (7-Regular) Ad Hoc; (2) Historic District Commission; (1) Local Historic Preservation Organization

Ad Hoc

**Parks & Recreation Board**

Appointed by Council (7-Regular) – 3-Year Terms; 1-Troy School Board; 1-Troy Daze; & 1-Adv. Committee for Sr. Citizens: 1-Year Terms

**Sr. Adv. Comm. Rep.\*** Term Expires 04/30/2010

**\*Advisory Committee for Senior Citizens to make recommendation at their April 2, 2009 meeting.**

**Personnel Board**

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

Term Expires 04/30/2012

Term Expires 04/30/2012

Yes:

No:

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**E-3 Appointment of an Acting City Manager**Suggested Resolution

Resolution #2009-03-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **APPOINTS** \_\_\_\_\_  
as Acting City Manager effective April 1, 2009.

Yes:

No:

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**E-4 Evaluation of Proposals to Conduct Executive Search for City Manager**Suggested Resolution

Resolution #2009-03-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **ENGAGES** the [Name] firm for executive recruitment services for the position of City Manager in accordance with their proposal dated [Date] for an estimated cost not to exceed \$[Amount].

Yes:

No:

**CONSENT AGENDA:**

*The Consent Agenda includes items of a routine nature and will be approved with one motion. That motion will approve the recommended action for each item on the Consent Agenda. Any Council Member may ask a question regarding an item as well as speak in opposition to the recommended action by removing an item from the Consent Agenda and have it considered as a separate item. Any item so removed from the Consent Agenda shall be considered after other items on the consent portion of the agenda have been heard. Public comment on Consent Agenda Items will be permitted under Agenda Item 12 "F".*

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**F-1a Approval of "F" Items NOT Removed for Discussion**Suggested Resolution

Resolution #2009-03-

Moved by

Seconded by

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Item(s) \_\_\_\_\_, which **SHALL BE CONSIDERED** after Consent Agenda (F) items, as printed.

Yes:

No:

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

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

Suggested Resolution

Resolution #2009-03-

RESOLVED, That Troy City Council hereby **APPROVES** the Minutes of the 7:30 PM Regular City Council Meeting of March 23, 2009 as submitted.

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**F-3 Proposed City of Troy Proclamation:**

Suggested Resolution

Resolution #2009-03-

RESOLVED, That Troy City Council hereby **APPROVES** the following City of Troy Proclamation:

- a) Service Commendation – Ron Tschirhart (Personnel Board) in Recognition of Outstanding Service to the Community

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**F-4 Standard Purchasing Resolutions**

- a) **Standard Purchasing Resolution 2: Bid Award – Low Bidder Meeting Specifications – Asphalt Patching Material - Cold**

Suggested Resolution

Resolution #2009-03-

RESOLVED, That Troy City Council hereby **AWARDS** a contract to provide one-year requirements of Asphalt Patching Material - Cold to the lowest bidder meeting specifications, Ultimate Epoxy d/a C&D Holdings Limited of Lake Orion, MI, at unit prices contained in the bid tabulation opened March 3, 2009, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, to commence May 1, 2009 and expire February 28, 2010; and

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

**b) Standard Purchasing Resolution 1: Award to Low Bidders – Transit Mixed Concrete**

Suggested Resolution  
Resolution #2009-03-

RESOLVED, That Troy City Council hereby **AWARDS** contracts to provide one-year requirements of Transit Mixed Concrete with an option to renew for one additional year to the low bidders, Nagy Ready Mix, Inc. of Utica, as the primary supplier and Superior Materials, LLC of Farmington Hills, MI, as the secondary supplier, at unit prices contained in the bid tabulation opened March 12, 2009, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, to commence May 1, 2009 and expire April 30, 2010; and

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

**c) Standard Purchasing Resolution 2: Bid Award – Sole Bidder Meeting Specifications – Asphalt Paving Materials**

Suggested Resolution  
Resolution #2009-03-

RESOLVED, That Troy City Council hereby **AWARDS** a contract to provide one (1) year requirements of Asphalt Paving Materials – Hot Patch with an option to renew for one additional year to the sole bidder meeting specifications, Ajax Materials Corporation of Troy, MI, at unit prices contained in the bid tabulation opened March 6, 2009, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

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

**d) Standard Purchasing Resolution 2: Bid Award – Lowest Acceptable Bidders Meeting Specifications – Fertilization Services at Sylvan Glen and Sanctuary Lake Golf Courses**

Suggested Resolution  
Resolution #2009-03-

RESOLVED, That Troy City Council hereby **AWARDS** contracts to furnish all materials, equipment, and labor for one-year requirements of Fertilization Services at Sylvan Glen and Sanctuary Lake Golf Courses with an option to renew for one additional year to the lowest bidders meeting specifications, Turfgrass, Inc. of Novi, MI, and Tri-Turf, Inc. of Farmington Hills, MI, at unit prices contained in the bid tabulation opened March 5, 2009, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with contracts expiring December 31, 2009; and

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

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**F-5 Private Agreement for 1401 Crooks – Phase I – Project No. 08.928.3**

Suggested Resolution

Resolution #2009-03-

RESOLVED, That Troy City Council hereby **APPROVES** the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and 1401 Troy Associates Limited Partnership, for the installation of water main and storm sewer on the site and in the adjacent right of way, and hereby **AUTHORIZES** the Mayor and City Clerk to execute the document, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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**F-6 AT & T Utility Relocation Costs – Rochester Road, Torpey to Barclay – Project No. 99.203.5 – Wattles Road, 1,000’ East and West of Rochester – Project No. 01.106.5**

Suggested Resolution

Resolution #2009-03-

RESOLVED, That Troy City Council hereby **APPROVES** the relocation costs for AT&T facilities, within private easements, required in connection with the reconstruction of Rochester Road, from Torpey to Barclay and Wattles Road, 1,000’ east and west of Rochester Road, in the amount of \$511,555.64 with the city’s share estimated at \$102,311.64.

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**F-7 Correction to City Council Minutes for Regular Meeting of June 5, 2006**

Suggested Resolution

Resolution #2009-03-

RESOLVED, That Troy City Council hereby **APPROVES** the typographical correction made to agenda item D-1 *Adoption of City Ordinance, Chapter 28 – Tree Ordinance and the Landscape Design & Tree Preservation Standards-Resolution #2006-06-234* by **STRIKING** “Broomfield” and **INSERTING** “Beltrami” in the Regular City Council meeting minutes of June 5, 2006.

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**F-8 Request to Temporarily Waive Parking Restrictions – Smith Middle School**

Suggested Resolution

Resolution #2009-03-

RESOLVED, That Troy City Council hereby **WAIVES** the no parking restrictions on Donaldson from Square Lake to Cotswald on May 15, 2009, between the hours of 5:30 PM to 9:30 PM.

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**F-9 Reconsideration of Resolution #2009-03-105-F-4d – Tax Bill Printing Services**

Suggested Resolution

Resolution #2009-03-

RESOLVED, That Troy City Council hereby **RECONSIDERS** Resolution #2009-03-105-F-4d, Moved by Beltramini and Seconded by Eisenbacher as it appears below:

*RESOLVED, That Troy City Council hereby AWARDS a contract to provide printing services for the 2009 Summer and Winter Tax Bills with options to renew for two (2) additional one-year tax periods to the lowest acceptable bidder, DivDat, of Ferndale, MI, at prices contained in the bid tabulation opened February 25, 2009, a copy of which shall be ATTACHED to the original Minutes of this meeting, with a contract expiration of December 31, 2009.*

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

No: None

Absent: Howrylak

MOTION CARRIED

Yes:

No:

**Proposed Resolution to Amend Reconsidered Resolution #2009-03-105-F-4d Standard Purchasing Resolution 2: Bid Award – Lowest Bidder Meeting Specifications – Tax Bill Printing Services**

Suggested Resolution

Resolution #2009-03-

RESOLVED, That Troy City Council hereby **AMENDS** Resolution #2009-03-105-F-4d, *Standard Purchasing Resolution 2: Bid Award – Lowest Bidder Meeting Specifications – Tax Bill Printing Services* by INSERTING “*plus the actual cost for first class postage and overruns not to exceed 5%,”* AFTER “meeting”.

Yes:

No:

**Proposed Resolution for Reconsidered Resolution #2009-03-105-F-4d Standard Purchasing Resolution 2: Bid Award – Lowest Bidder Meeting Specifications – Tax Bill Printing Services as Amended**

Resolution #2009-01-105-F-4d

Moved by Beltramini

Seconded by Eisenbacher

RESOLVED, That Troy City Council hereby **AWARDS** a contract to provide printing services for the 2009 Summer and Winter Tax Bills with options to renew for two (2) additional one-year tax periods to the lowest acceptable bidder, DivDat, of Ferndale, MI, at prices contained in the bid tabulation opened February 25, 2009, a copy of which shall be **ATTACHED** to the original

Minutes of this meeting, plus the actual cost for first class postage and overruns not to exceed 5%, with a contract expiration of December 31, 2009.

Yes:

No:

**MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:**

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

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**G-2 Memorandums: None Submitted**

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

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**H-1 No Council Referrals Advanced**

**COUNCIL COMMENTS:**

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**I-1 No Council Comments Advanced**

**REPORTS:**

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

- a) Historic District Commission/Final – January 20, 2009
- b) Employees’ Retirement System Board of Trustees/Final – February 11, 2009
- c) Board of Zoning Appeals/Final – February 17, 2009
- d) Historic District Commission/Final – February 17, 2009
- e) Charter Revision Committee/Final – March 5, 2009
- f) Historic District Commission/Draft – March 17, 2009

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**J-2 Department Reports:**

- a) Council Member Mary Kerwin’s Travel Expense Report – Michigan Municipal League’s 2009 Capital Conference in Lansing, Michigan
- b) Council Member Robin Beltramini’s Travel Expense Report – Michigan Municipal League’s 2009 Capital Conference in Lansing, Michigan

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**J-3 Letters of Appreciation:**

- a) Letter of Thanks from Joseph Beaupied Regarding the Police Assistance at the Polish American Numismatic Society’s Annual Coin Show

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

**STUDY ITEMS:**

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**K-1 No Study Items Submitted**

**PUBLIC COMMENT: Address of “K” Items**

*Persons interested in addressing the City Council on items, which appear on the printed Agenda, will be allowed to do so at the time the item is discussed upon recognition by the Chair in accordance with the Rules of Procedure of the City Council, Article 16, during the Public Comment section under item 18 of the agenda. Other than asking questions for the purposes of gaining insight or clarification, Council shall not interrupt or debate with members of the public during their comments. Once discussion is brought back to the Council table, persons from the audience will be permitted to speak only by invitation by Council, through the Chair. City Council requests that if you do have a question or concern, to bring it to the attention of the appropriate department(s) whenever possible. If you feel that the matter has not been resolved satisfactorily, you are encouraged to bring it to the attention of the City Manager, and if still not resolved satisfactorily, to the Mayor and Council.*

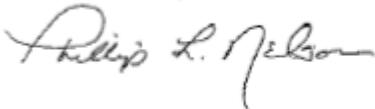
**CLOSED SESSION:**


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**L-1 No Closed Session Requested**

**ADJOURNMENT**

Respectfully submitted,



Phillip L. Nelson, City Manager

**FUTURE CITY COUNCIL PUBLIC HEARINGS:**

Monday, April 6, 2009

1. Outdoor Seating Request in Excess of 20 Seats – Pizzapapalis/Rio Wraps, 300 John R

**SCHEDULED CITY COUNCIL MEETINGS:**

Monday, April 6, 2009.....	Regular City Council
Monday, April 20, 2009.....	Regular City Council
Monday, April 27, 2009.....	Special Study Session – Budget
Monday, May 4, 2009.....	Special Study Session – Budget
Monday, May 11, 2009.....	Regular City Council
Monday, May 18, 2009.....	Regular City Council

## Service Commendation

**WHEREAS**, the Mayor and City Council of the City of Troy wish to express on behalf of the City, their appreciation to

### **RON TSCHIRHART**

In recognition of outstanding service to the community, and

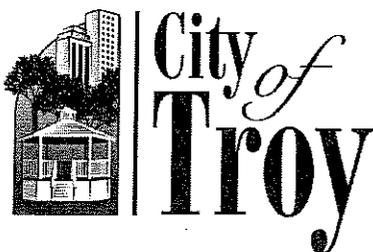
**WHEREAS**, He has at all times furthered those ideals that contribute to a better community.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and City Council, being the duly elected voice of the citizens of Troy, express the City's appreciation and recognition for this distinguished citizen's service since **February 1993 through April 2008** as a member of the

## PERSONNEL BOARD

**BE IT FURTHER RESOLVED**, that a copy of this resolution be presented as a lasting expression of the City's gratitude and appreciation for Ron Tschirhart's contribution to the betterment of the City of Troy, Michigan.

Presented this 30<sup>th</sup> day of March 2009.



## CITY COUNCIL REPORT

DATE: March 26, 2009

TO: Phillip L. Nelson, City Manager

FROM: Peggy E. Sears, Human Resources Director *PE*

SUBJECT: **AGENDA ITEM** – Evaluation of Proposals to Conduct Executive Search for City Manager

City Council will discuss the recruitment process for City Manager on Monday, March 30, 2009, including the evaluation of proposals received from executive search firms. Attached is the evaluation form, as revised by City Council on March 23, 2009, and a recommended evaluation process as recommended by the Human Resources Director and Purchasing Director, which utilizes the City's standard evaluation criteria.

### Background:

- On March 2, 2009, City Council discussed the recruitment process for the position of City Manager and determined that proposals should be requested from executive search firms
- Proposals were received from six search firms by the deadline of March 19, 2009
- City Council agreed to an evaluation form for the purpose of evaluating the proposals
- City Council was provided with a recommended evaluation process

### Financial Considerations:

- Should a search firm be selected to conduct an executive search, direct costs of this process are as outlined in each firm's proposal
- Indirect costs would include administrative expenses not directly reflected in the written proposals such as staff time to assist in the search process, including coordination of meetings, on-site interviews, public forums, etc. with the consultant, and travel expenses of candidates

### Legal Considerations:

The evaluation of proposals and the executive search process would comply with City purchasing practices and appropriate laws including the Open Meetings Act.

Agenda Item- Evaluation of Proposals to Conduct Executive Search for City Manager  
Page Two

Policy Considerations:

- The process of selection of a City Manager supports each of the City's goals

Options:

- Select an executive search firm based on consensus of the results of the evaluation process
- No search firm is selected

Attachments

**EVALUATION FORM  
EXECUTIVE SEARCH  
POSITION OF CITY MANAGER**

**RATER #** \_\_\_\_\_

VENDOR		A	B	C
NAME:	MICHIGAN MUNICIPAL LEAGUE	CHARLES BLOCKETT, JR. & ASSOC.	SMITH RECRUITING	
ADDRESS:	1675 Green Rd Ann Arbor, MI 48106	3637 Waverly Hills Rd Lansing, MI 48917	5600 West Maple Rd., Ste B210 West Bloomfield, MI 48322	
CITY/STATE/ZIP:				
PHONE/FAX:	Ph: 734-669-6371	Ph: 517-484-3362 fax: 517-484-3730	Ph: 800-728-0168	

EVALUATION CRITERIA	Point Value	INFORMATION	SCORE	INFORMATION	SCORE	INFORMATION	SCORE
<b>ABILITY TO MEET OBJECTIVES:</b> -Position Analysis -Recruitment Process -Resume Review -Candidate Screening -Background Investigation -Interview Process -Negotiation & Follow-up	24						
<b>EXPERIENCE/QUALIFICATIONS:</b> -Conducting Private as well as Public Sector Executive Searches -Recent Searches in Michigan (within last 4 years) -Knowledge of municipal government (laws, administration, finance)	24						
<b>INTERVIEW</b>	4						
<b>PERSON ASSIGNED:</b> -Experience -Accessibility	24						
<b>COST TO COMPLETE PROJECT</b>	24						

**EVALUATION FORM  
EXECUTIVE SEARCH  
POSITION OF CITY MANAGER**

**RATER #** \_\_\_\_\_

VENDOR		D	E	F
NAME:	CPS HUMAN RESOURCES SERVICES	DEACON GROUP	The Waters Consulting Group, Inc.	
ADDRESS:	444 North Capitol St, Ste 544	47710 Van Dyke	5050 Quorum Dr., Ste 625	
CITY/STATE/ZIP:	Washington, DC 20001	Shelby Twp, MI 48317	Dallas, TX 75254	
PHONE/FAX:	Ph: 202-355-7308 Fax: 202-220-1394	Ph: 586-992-9700 Fax: 586-992-8723	Ph: 214-466-2441 Fax: 972-481-1951	

EVALUATION CRITERIA	Point Value	INFORMATION	SCORE	INFORMATION	SCORE
<b>ABILITY TO MEET OBJECTIVES:</b> -Position Analysis -Recruitment Process -Resume Review -Candidate Screening -Background Investigation -Interview Process -Negotiation & Follow-up	24				
<b>EXPERIENCE/QUALIFICATIONS:</b> -Conducting Private as well as Public Sector Executive Searches -Recent Searches in Michigan (within last 4 years) -Knowledge of municipal government (laws, administration, finance)	24				
<b>INTERVIEW</b>	4				
<b>PERSON ASSIGNED:</b> -Experience -Accessibility	24				
<b>COST TO COMPLETE PROJECT</b>	24				

MAXIMUM SCORE: 100



# REPORT TO CITY MANAGER

March 24, 2009

TO: Phillip L. Nelson, City Manager  
FROM: Susan A. Leirstein, Purchasing Director  
SUBJECT: Evaluation Process – Executive Search – Position of City Manager

- On March 9, 2009, various executive search firms were invited to participate in a request for proposal process to select the City's new City Manager.
- Six (6) firms responded by the deadline of March 19, 2009. City Council is the formal committee who will make the decision as to the selection of the most qualified firm. In order for the process to be as objective as possible, I recommend using the City's standard evaluation criteria, which consists of the following —
- **Phase 1: Minimum Qualifications Evaluation**  
Firms are required to meet minimum established criteria in order to go to the second phase of the process.  
Example: Search must be completed within 120 days.
- **Phase 2: Evaluation of Proposals**  
Each City Council member will independently use the weighted score sheet to evaluate the proposals; each Council member will calculate a weighted score. The scores of the Council Members will be averaged into one score for each firm for this phase of the process. Note: The interview and cost to complete portions will be rated in the appropriate phase.
- **Phase 3: Interview Score - Optional**  
City Council, at its option, should invite at least the top three (3) rated firms to participate in an interview. If less than three (3) candidates remain in the process, all should be interviewed. Each City Council member will independently use the weighted score sheet to evaluate the Interview; each Council member will calculate a weighted score. The scores of the Council members will be averaged into one score for each firm for this phase of the process. Those being interviewed may be supplied with further instructions and requests prior to the interview. Persons representing the firm at the interview must be the personnel who will be assigned to this project.
- **Phase 4: Price**  
Points for price can be calculated as follows:

FORMULA -  $\{1 - (\text{Proposal Price} - \text{Low Price}) / \text{low price}\} \times \text{available points}$

- **Phase 5: Final Scoring and Selection**

- 4 pts Interview Score - optional
  - 72 pts Proposal Score
  - 24 pts Price Score
  - 100

This process will incorporate the values and opinions of all City Council members and ensure a fair and equitable process for all participants. Those who serve on evaluation committees are held in the highest regard and should be free from bias or conflict of interest.

This process provides an organized means to an end..... to select the most qualified firm to perform the search for the City's new City Manager. If requested, I would be privileged to act as facilitator for the recommended process.

Regular Meeting of the Troy City Council was held Monday, March 23, 2009, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:30 PM.

Mark Biebuyck of Kensington Community Church gave the Invocation and the Pledge of Allegiance to the Flag was given.

## ROLL CALL

Mayor Louise E. Schilling  
Robin Beltramini  
Cristina Broomfield  
David Eisenbacher  
Wade Fleming  
Mayor Pro Tem Martin Howrylak (Absent)  
Mary Kerwin

## CERTIFICATES OF RECOGNITION:

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### A-1 Presentations:

- a) On behalf of the City of Troy, Mayor Louise Schilling presented Ron Figlan with a service commendation recognizing his 39 years of service.
- b) On behalf of the City of Troy, Mayor Louise Schilling presented former Police Chief Charles Craft with a service commendation recognizing his 39 years of service.
- c) Transit Center Update – Presentation by Dan Beattie of Clark Hill - Presenter requests this item be postponed until after D-01 *Postponed Items*.

### **Vote on Resolution to Postpone A-1c Presentations-Transit Center Update-Presentation by Dan Beattie of Clark Hill**

Resolution #2009-03-083  
Moved by Beltramini  
Seconded by Fleming

RESOLVED, That Troy City Council hereby **POSTPONES** A-01c *Transit Center Update – Presentation by Dan Beattie of Clark Hill* until the completion of Agenda Item D-01 Postponed Items.

Yes: Schilling, Beltramini, Broomfield, Eisenbacher, Fleming, Kerwin  
No: None  
Absent: Howrylak

## MOTION CARRIED

### **Vote on Resolution To Excuse Mayor Pro Tem Howrylak**

Resolution #2009-03-084  
Moved by Eisenbacher  
Seconded by Broomfield

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of Mayor Pro Tem Howrylak at the Regular City Council meeting of March 23, 2009 due to being absent from the community.

Yes: Beltramini, Broomfield, Eisenbacher, Fleming, Schilling

No: Kerwin

Absent: Howrylak

**MOTION CARRIED**

**CARRYOVER ITEMS:**

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**B-1 No Carryover Items**

**PUBLIC HEARINGS:**

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**C-1 Zoning Ordinance Text Amendment (File Number: ZOTA 234) – Article 28 – Automobile Repair in M-1 – Light Industrial Zoning District**

The Mayor opened the public hearing. The Mayor closed the public hearing after taking public comment from:

Marvin Reinhardt

Resolution #2009-03-085

Moved by Eisenbacher

Seconded by Kerwin

RESOLVED, That Troy City Council hereby **AMENDS** Article XXVIII (M-1 LIGHT INDUSTRIAL ZONING DISTRICT) of the City of Troy Zoning Ordinance, pertaining to Automobile Repair in M-1, to read as written in the proposed Zoning Ordinance Text Amendment (ZOTA 234), City Council Public Hearing Draft, as recommended by the Planning Commission.

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

No: None

Absent: Howrylak

**MOTION CARRIED**

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**C-2 Zoning Ordinance Text Amendment (File Number: ZOTA 235) – Article 3 – Submittal Requirements for Site Plan Review/Approval and Special Use Approval Applications**

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

Resolution #2009-03-086

Moved by Eisenbacher

Seconded by Fleming

RESOLVED, That Troy City Council hereby **AMENDS** Article III (APPLICATIONS AND PROCEDURES) of the City of Troy Zoning Ordinance, pertaining to Submittal Requirements for Site Plan Review/Approval and Special Use Approval Applications, to read as written in the proposed Zoning Ordinance Text Amendment (ZOTA 235), City Council Public Hearing Draft, as recommended by the Planning Commission.

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

No: None

Absent: Howrylak

### **MOTION CARRIED**

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#### **C-3 Re-Programming Community Development Block Grant (CDBG) Program Year 2006 Funds**

The Mayor opened the public hearing. The Mayor closed the public hearing after taking public comment from:

Harry Sankovich

Resolution #2009-03-087

Moved by Beltramini

Seconded by Kerwin

WHEREAS, The Troy City Council, after conclusion of a Public Hearing on this date, March 23, 2009 has determined that program year 2006 unexpended funds of \$11,275.96, should be re-programmed from Sewer Benefit Fee (Special Assessment) for Charnwood Subdivision Area, Phase #1, Section 6, to Special Assessment for Asphalt Paving of Florence Street in Section 9, Project No. 08.108.1; and

WHEREAS, The balance of Program Year 2006 Sewer Benefit Fee (Special Assessment) for Charnwood Subdivision Area, Phase #1, Section 6, unexpended funds in the amount of \$82,540.04 should be re-programmed to the Section 36 Park Improvement Project;

BE IT RESOLVED, That Troy City Council hereby **ADDS** the Special Assessment, Florence Street Paving Project No. 08.108.1 and Public Facilities and Improvements, Section 36 Park Improvement Project to the list of CDBG projects for 2006.

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

No: None

Absent: Howrylak

### **MOTION CARRIED**

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#### **C-4 Liquor Violations – SDD & SDM**

The named licensees have been given notice to appear for this series of Public Hearings regarding alleged violations. All violations are uncontested and have been adjudicated at the Michigan Liquor Control Commission (MLCC). Therefore, the following licensees have waived their right to a public hearing:

- a) Name: NLM, Inc. (dba: Manny's Liquor Shoppe)  
Address: 42951 Dequindre, 48098  
License No.: SDD (10801); SDM (13095)
- b) Name: Troy Cheese & Wine Market, Inc.  
(dba: Troy Cheese & Wine Market)  
Address: 2558 E. Maple Road, 48083  
License No.: SDD/SDM; (18079) (11930)
- c) Name: Wal-Mart Store No. 2873. (dba: Wal-Mart)  
Address: 2001 W. Maple Road, 48084  
License No.: SDM (165039-2008)
- d) Name: Aldi, Inc. (Michigan) Store #90 (dba: Aldi Food Market)  
Address: 2967 E. Big Beaver Road, 48083  
License No.: SDM (133734-2008)
- e) Name: Good Food Company East (dba: Good Food Company)  
Address: 74 W. Maple Road, 48084  
License No.: SDM (105946-2008)
- f) Name: Agrusa International Marketplace  
(dba: Agrusa International Marketplace)  
Address: 5047 Rochester Road, 48085  
License No.: SDM (179471-2008)

**a) NLM, Inc. (dba: Manny's Liquor Shoppe)**

Resolution #2009-03-088

Moved by Eisenbacher

Seconded by Beltramini

WHEREAS, The following liquor licensee operates within the City of Troy:

Name: NLM, Inc. (dba: Manny's Liquor Shoppe)  
Address: 42951 Dequindre, 48098  
License No.: SDD (10801); SDM (13095)

WHEREAS, The licensee has entered into a contract with the City of Troy, where the licensee authorizes the Troy City Council to review the licensee's violations of the laws and regulations governing the sale of alcoholic liquor, and determine the appropriate course of action for any such violation that is allowed under Michigan law;

WHEREAS, The City Council has given public notice that the licensee has been charged with the following violation of the laws and regulations governing the sale of alcoholic liquor:

**SALE TO MINOR** (MLCC Compliance Test) on May 29, 2008;

WHEREAS, The City provided notice that the charges against the licensee would be reviewed and Council would determine if any action should be taken against the licensee at a Public Hearing, scheduled for Monday, March 23, 2009;

WHEREAS, This licensee has had prior violations dated: December 6, 2006 – CITY ORDINANCE VIOLATION FOR IMPROPER DISPLAY OF ALCOHOL; July 25, 2000 – SALE TO MINOR (Compliance Test); July 21, 1999 – MLCC SALE TO MINOR (Compliance Test); October 28, 1998 – SALE TO MINOR (Compliance Test); July 23, 1992 – FURNISH ALCOHOL TO MINOR; October 26, 1989 – SALE TO MINOR (Compliance Test); October 23, 1987 – SALE TO MINOR (Compliance Test); and

WHEREAS, Licensee was given the opportunity to review these cited infractions, and the opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Monday, March 23, 2009;

THEREFORE, BE IT RESOLVED, That the Troy City Council, after the public hearing, has **DETERMINED** that the licensee did commit the above referenced violation of the laws and regulations governing the sale of alcoholic liquor; and

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDD License Number 10801 and SDM License Number 13095 in the name of NLM, Inc. in the City of Troy), to have all its management and employees that are permitted to sell alcoholic liquor TIPS or TAMS trained, and to **PROVIDE PROOF** of this training to the Troy Police Department within 90 days; and

BE IT FURTHER RESOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation; and

BE IT FURTHER RESOLVED, That a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission for inclusion in the licensee's file.

Yes: Kerwin, Schilling, Beltramini, Broomfield, Eisenbacher, Fleming  
No: None  
Absent: Howrylak

#### **MOTION CARRIED**

#### **b) Troy Cheese & Wine Market, Inc. (dba: Troy Cheese & Wine Market)**

Resolution #2009-03-089  
Moved by Eisenbacher  
Seconded by Kerwin

WHEREAS, The following liquor licensee operates within the City of Troy:

Name: Troy Cheese & Wine Market, Inc. (dba: Troy Cheese & Wine Market)  
Address: 2558 E. Maple Road, 48083  
License No.: SDD/SDM; (18079) (11930)

WHEREAS, The licensee has entered into a contract with the City of Troy, where the licensee authorizes the Troy City Council to review the licensee's violations of the laws and regulations governing the sale of alcoholic liquor, and determine the appropriate course of action for any such violation that is allowed under Michigan law;

WHEREAS, The City Council has given public notice that the licensee has been charged with the following violation of the laws and regulations governing the sale of alcoholic liquor:

**SALE TO MINOR** (Compliance Test) on May 21, 2008;

WHEREAS, The City provided notice that the charges against the licensee would be reviewed and Council would determine if any action should be taken against the licensee at a Public Hearing, scheduled for Monday, March 23, 2009;

WHEREAS, This licensee has had prior violations dated: October 27, 2000 – SELLING SPIRITS WHICH HAVE BEEN PURCHASED FROM AN ILLEGAL SOURCE FROM BETWEEN 06/28/00-8/28/00 TO PRESENT; May 23, 1991 – SALE TO MINOR (Compliance Test); February 19, 1987 – SALE TO MINOR (Compliance Test); May 25, 1985 – SALE TO MINOR; September 18, 1981 – SALE TO MINOR; and

WHEREAS, Licensee was given the opportunity to review these cited infractions, and the opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Monday, March 23, 2009;

THEREFORE, BE IT RESOLVED, That the Troy City Council, after the public hearing, has **DETERMINED** that the licensee did commit the above referenced violation of the laws and regulations governing the sale of alcoholic liquor; and

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDD/SDM License Numbers 18079/11930 in the name of Troy Cheese & Wine Market, Inc. in the City of Troy), to have all its management and employees that are permitted to sell alcoholic liquor TIPS or TAMS trained, and to **PROVIDE PROOF** of this training to the Troy Police Department within 90 days; and

BE IT FURTHER RESOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation; and

BE IT FURTHER RESOLVED, That a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission for inclusion in the licensee's file.

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

No: None

Absent: Howrylak

**MOTION CARRIED**

c) **Wal-Mart Store No. 2873. (dba: Wal-Mart)**

Resolution #2009-03-090  
Moved by Fleming  
Seconded by Broomfield

WHEREAS, The following liquor licensee operates within the City of Troy:

Name: Wal-Mart Store No. 2873 (dba: Wal-Mart)  
Address: 2001 W. Maple Road, 48084  
License No.: SDM (165039-2008)

WHEREAS, The licensee has entered into a contract with the City of Troy, where the licensee authorizes the Troy City Council to review the licensee's violations of the laws and regulations governing the sale of alcoholic liquor, and determine the appropriate course of action for any such violation that is allowed under Michigan law;

WHEREAS, The City Council has given public notice that the licensee has been charged with the following violation of the laws and regulations governing the sale of alcoholic liquor:

**SALE TO MINOR (DPU)** (Compliance Test) on October 2, 2008;

WHEREAS, The City provided notice that the charges against the licensee would be reviewed and Council would determine if any action should be taken against the licensee at a Public Hearing, scheduled for Monday, March 23, 2009;

WHEREAS, This licensee has had no prior violations; and

WHEREAS, Licensee was given the opportunity to review these cited infractions, and the opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Monday, March 23, 2009;

THEREFORE, BE IT RESOLVED, That the Troy City Council, after the public hearing, has **DETERMINED** that the licensee did commit the above referenced violation of the laws and regulations governing the sale of alcoholic liquor; and

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDM License Number 165039-2008 in the name of Wal-Mart Store No. 2873 in the City of Troy), to have all its management and employees that are permitted to sell alcoholic liquor TIPS or TAMS trained, and to **PROVIDE PROOF** of this training to the Troy Police Department within 90 days; and

BE IT FURTHER RESOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation; and

BE IT FURTHER RESOLVED, That a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission for inclusion in the licensee's file.

Yes: Beltramini, Broomfield, Eisenbacher, Fleming, Kerwin, Schilling  
No: None  
Absent: Howrylak

## MOTION CARRIED

### d) Aldi, Inc. (Michigan) Store #90 (dba: Aldi Food Market)

Resolution #2009-03-091  
Moved by Kerwin  
Seconded by Eisenbacher

WHEREAS, The following liquor licensee operates within the City of Troy:

Name: Aldi, Inc. (Michigan) Store #90 (dba: Aldi Food Market)  
Address: 2967 E. Big Beaver Road, 48083  
License No.: SDM (133734-2008)

WHEREAS, The licensee has entered into a contract with the City of Troy, where the licensee authorizes the Troy City Council to review the licensee's violations of the laws and regulations governing the sale of alcoholic liquor, and determine the appropriate course of action for any such violation that is allowed under Michigan law;

WHEREAS, The City Council has given public notice that the licensee has been charged with the following violation of the laws and regulations governing the sale of alcoholic liquor:

**SALE TO MINOR** (Compliance Test) on October 2, 2008;

WHEREAS, The City provided notice that the charges against the licensee would be reviewed and Council would determine if any action should be taken against the licensee at a Public Hearing, scheduled for Monday, March 23, 2009;

WHEREAS, This licensee has had no prior violations; and

WHEREAS, Licensee was given the opportunity to review these cited infractions, and the opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Monday, March 23, 2009;

THEREFORE, BE IT RESOLVED, That the Troy City Council, after the public hearing, has **DETERMINED** that the licensee did commit the above referenced violation of the laws and regulations governing the sale of alcoholic liquor; and

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDM License Number 133734-2008 in the name of Aldi, Inc. (Michigan) Store #90 in the City of Troy), to have all its management and employees that are permitted to sell alcoholic liquor TIPS or TAMS trained, and to **PROVIDE PROOF** of this training to the Troy Police Department within 90 days; and

BE IT FURTHER RESOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation; and

BE IT FURTHER RESOLVED, That a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission for inclusion in the licensee's file.

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

No: None

Absent: Howrylak

**MOTION CARRIED**

**e) Good Food Company East (dba: Good Food Company)**

Resolution

Moved by Kerwin

Seconded by Eisenbacher

WHEREAS, The following liquor licensee operates within the City of Troy:

Name: Good Food Company East (dba: Good Food Company)

Address: 74 W. Maple Road, 48084

License No.: SDM (105946-2008)

WHEREAS, The licensee has entered into a contract with the City of Troy, where the licensee authorizes the Troy City Council to review the licensee's violations of the laws and regulations governing the sale of alcoholic liquor, and determine the appropriate course of action for any such violation that is allowed under Michigan law;

WHEREAS, The City Council has given public notice that the licensee has been charged with the following violation of the laws and regulations governing the sale of alcoholic liquor:

**SALE TO MINOR (DPU)** (Compliance Test) on October 2, 2008;

WHEREAS, The City provided notice that the charges against the licensee would be reviewed and Council would determine if any action should be taken against the licensee at a Public Hearing, scheduled for Monday, March 23, 2009;

WHEREAS, This licensee has had no prior violations; and

WHEREAS, Licensee was given the opportunity to review these cited infractions, and the opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Monday, March 23, 2009;

THEREFORE, BE IT RESOLVED, That the Troy City Council, after the public hearing, has **DETERMINED** that the licensee did commit the above referenced violation of the laws and regulations governing the sale of alcoholic liquor; and

B1E IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDD License Number 105946-2008 in the name of Good Food Company East in the City of Troy), to have all its management and employees that are permitted to sell alcoholic liquor TIPS or TAMS trained, and to **PROVIDE PROOF** of this training to the Troy Police Department within 90 days; and

BE IT FURTHER RESOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation; and

BE IT FURTHER RESOLVED, That a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission for inclusion in the licensee's file.

**Vote on Resolution to Amend e) Good Food Company East (dba: Good Food Company)**

Resolution #2009-03-092  
 Moved by Kerwin  
 Seconded by Beltramini

RESOLVED, That Troy City Council hereby **AMENDS** resolution e) *Good Food Company East (dba: Good Food Company)* by **INSERTING** "after October 2, 2008" **AFTER** "TIPS or TAMS trained" in the third paragraph from the bottom.

Yes: Eisenbacher, Fleming, Kerwin, Schilling, Beltramini, Broomfield  
 No: None  
 Absent: Howrylak

**MOTION CARRIED**

**Vote on Resolution e) Good Food Company East (dba: Good Food Company) as Amended**

Resolution #2009-03-093  
 Moved by Kerwin  
 Seconded by Eisenbacher

WHEREAS, The following liquor licensee operates within the City of Troy:

Name: Good Food Company East (dba: Good Food Company)  
 Address: 74 W. Maple Road, 48084  
 License No.: SDM (105946-2008)

WHEREAS, The licensee has entered into a contract with the City of Troy, where the licensee authorizes the Troy City Council to review the licensee's violations of the laws and regulations governing the sale of alcoholic liquor, and determine the appropriate course of action for any such violation that is allowed under Michigan law;

WHEREAS, The City Council has given public notice that the licensee has been charged with the following violation of the laws and regulations governing the sale of alcoholic liquor:

**SALE TO MINOR (DPU)** (Compliance Test) on October 2, 2008;

WHEREAS, The City provided notice that the charges against the licensee would be reviewed and Council would determine if any action should be taken against the licensee at a Public Hearing, scheduled for Monday, March 23, 2009;

WHEREAS, This licensee has had no prior violations; and

WHEREAS, Licensee was given the opportunity to review these cited infractions, and the opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Monday, March 23, 2009;

THEREFORE, BE IT RESOLVED, That the Troy City Council, after the public hearing, has **DETERMINED** that the licensee did commit the above referenced violation of the laws and regulations governing the sale of alcoholic liquor; and

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDD License Number 105946-2008 in the name of Good Food Company East in the City of Troy), to have all its management and employees that are permitted to sell alcoholic liquor TIPS or TAMS trained after October 2, 2008, and to **PROVIDE PROOF** of this training to the Troy Police Department within 90 days; and

BE IT FURTHER RESOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation; and

BE IT FURTHER RESOLVED, That a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission for inclusion in the licensee's file.

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

No: None

Absent: Howrylak

## **MOTION CARRIED**

### **f) Agrusa International Marketplace (dba: Agrusa International Marketplace)**

Resolution #2009-03-094

Moved by Beltramini

Seconded by Eisenbacher

WHEREAS, The following liquor licensee operates within the City of Troy:

Name: Agrusa International Marketplace  
(dba: Agrusa International Marketplace)  
Address: 5047 Rochester Road, 48085  
License No.: SDM (179471-2008)

WHEREAS, The licensee has entered into a contract with the City of Troy, where the licensee authorizes the Troy City Council to review the licensee's violations of the laws and regulations

governing the sale of alcoholic liquor, and determine the appropriate course of action for any such violation that is allowed under Michigan law;

WHEREAS, The City Council has given public notice that the licensee has been charged with the following violation of the laws and regulations governing the sale of alcoholic liquor:

**SALE TO MINOR** (Compliance Test) on December 30, 2008;

WHEREAS, The City provided notice that the charges against the licensee would be reviewed and Council would determine if any action should be taken against the licensee at a Public Hearing, scheduled for Monday, March 23, 2009;

WHEREAS, This licensee has had no prior violations; and

WHEREAS, Licensee was given the opportunity to review these cited infractions, and the opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Monday, March 23, 2009;

THEREFORE, BE IT RESOLVED, That the Troy City Council, after the public hearing, has **DETERMINED** that the licensee did commit the above referenced violation of the laws and regulations governing the sale of alcoholic liquor; and

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDD/SDM License Number 179471-2008 in the name of Agrusa International Marketplace in the City of Troy), to have all its management and employees that are permitted to sell alcoholic liquor TIPS or TAMS trained, and to **PROVIDE PROOF** of this training to the Troy Police Department within 90 days; and

BE IT FURTHER RESOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation; and

BE IT FURTHER RESOLVED, That a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission for inclusion in the licensee's file.

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

No: None

Absent: Howrylak

**MOTION CARRIED**

**POSTPONED ITEMS:**

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**D-1 Continuation of Public Hearing – Standard Resolution #4 – Asphalt Paving of Florence Street in Section 9 – Project No. 08.108.1**

The Mayor opened the public hearing. The Mayor closed the public hearing after taking public comment from:

Harry Sankovich

Resolution #2009-03-095  
Moved by Beltramini  
Seconded by Kerwin

WHEREAS, Troy City Council has caused Special Assessment Roll No. 08.108.1 to be prepared for the purpose of defraying the Special Assessment District's portion of the following described public improvement in the City of Troy;

Bituminous Paving of Florence Street

WHEREAS, Troy City Council and the City Assessor have met after due legal notice and have reviewed said Special Assessment Roll and have heard all persons interested in said Special Assessment Roll appearing at said hearing; and

WHEREAS, Troy City Council is satisfied with said Special Assessment Roll as prepared by the City Assessor;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **CONFIRMS** Special Assessment Roll No. 08.108.1 in the amount of \$162,800.00 as prepared by the City Assessor, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: Schilling, Beltramini, Broomfield, Eisenbacher, Fleming, Kerwin  
No: None  
Absent: Howrylak

**MOTION CARRIED**

The meeting **RECESSED** at 9:05 PM.

The meeting **RECONVENED** at 9:20 PM.

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**A-1 Continuation of Presentations:**

c) Transit Center update provided by Dan Beattie of Clark Hill.

**Vote on Resolution to Postpone A-1c Presentations-Transit Center Update-Presentation by Dan Beattie of Clark Hill**

Resolution #2009-03-096  
Moved by Schilling  
Seconded by Kerwin

RESOLVED, That Troy City Council hereby **POSTPONES** A-01c *Transit Center Update – Presentation by Dan Beattie of Clark Hill* until the presenter arrives.

Yes: Beltramini, Broomfield, Eisenbacher, Fleming, Kerwin, Schilling  
No: None  
Absent: Howrylak

**MOTION CARRIED**

**PUBLIC COMMENT: Limited to Items Not on the Agenda**

Paul Beck; Marvin Reinhardt

**REGULAR BUSINESS:**


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E-1 **Appointments to Boards and Committees: a) Mayoral Appointments: None Scheduled b) City Council Appointments: None Scheduled**

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E-2 **Nominations for Appointments to Boards and Committees: (a) Mayoral Nominations: Brownfield Redevelopment Authority and Economic Development Corporation (b) City Council Nominations: Advisory Committee for Senior Citizens; Board of Zoning Appeals; Employee Retirement System Board of Trustees & Retiree Health Care Benefits Plan & Trust; Library Advisory Board and Personnel Board**

**(a) Mayoral Nominations**

Resolution #2009-03-097  
 Moved by Schilling  
 Seconded by Broomfield

RESOLVED, That the Mayor of the City of Troy 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:

**Brownfield Redevelopment Authority**

Appointed by Mayor (7-Regular) - 3-Year Terms

<u>Arthur Cotsonika</u>	Term Expires 04/30/2012
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<u>Joseph J. Vassallo</u>	Term Expires 04/30/2012
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**Economic Development Corporation**

Appointed by Mayor (9-Regular) - 6-Year Terms

<u>Paul V. Hoef</u>	Term Expires 04/30/2015
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<u>Barbara A. Knight</u>	Term Expires 04/30/2015
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<u>Leger (Nino) Licari – City Assessor</u>	Term Expires 04/30/2015
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<u>John Sharp</u>	Term Expires 04/30/2015
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Yes: Broomfield, Eisenbacher, Fleming, Kerwin, Schilling, Beltramini  
No: None  
Absent: Howrylak

**MOTION CARRIED**

**(b) City Council Nominations**

Resolution #2009-03-098  
Moved by Broomfield  
Seconded by Eisenbacher

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:

**Advisory Committee for Senior Citizens**

Appointed by Council (9-Regular) - 3 Year Terms

Merrill Dixon Term Expires 04/30/2012

JoAnn Thompson Term Expires 04/30/2012

**Board of Zoning Appeals**

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

Michael Bartnik Term Expires 04/30/2012

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

Appointed by Council - 3 Year Term

David Eisenbacher - City Council Representative Term Expires 04/15/2012

**Library Advisory Board**

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

Kul B. Gauri Term Expires 04/30/2012

**Personnel Board**

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

Laurie G. Huber Term Expires 04/30/2012

Yes: Eisenbacher, Fleming, Kerwin, Schilling, Beltramini, Broomfield  
No: None  
Absent: Howrylak

**MOTION CARRIED**

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**E-3 Bid Waiver – Motorola Advance Tactical Mapping Software for Fire Vehicles**

Resolution #2009-03-099  
Moved by Eisenbacher  
Seconded by Fleming

WHEREAS, Motorola is the sole supplier of the proprietary Advance Tactical Mapping software;

WHEREAS, The Troy Fire Department has researched mobile computer mapping applications for use in fire emergency vehicles and finds the Motorola Advance Tactical Mapping to be the most functional and cost effective; and

WHEREAS, CLEMIS has deployed the Motorola Advance Tactical Mapping software program in all law enforcement mobile data computers in Oakland County;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **WAIVES** formal bidding procedures and **AUTHORIZES** the City of Troy to purchase twenty (20) licenses for the Advance Tactical Mobile Mapping software from Motorola, Inc. for an estimated total cost of \$16,880.00.

Yes: Fleming, Kerwin, Schilling, Beltramini, Broomfield, Eisenbacher  
No: None  
Absent: Howrylak

**MOTION CARRIED**

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**E-4 Additional Costs for I-75 Bridge Work – Project No. 08.102.6**

Resolution #2009-03-100  
Moved by Beltramini  
Seconded by Eisenbacher

RESOLVED, That Troy City Council hereby **INCREASES** the not-to-exceed fee of \$56,715.00 to an estimated amount of \$80,000.00 for Troy's share of the I-75 bridge project in accordance with MDOT Contract No. 07-5754 between the City of Troy and the Michigan Department of Transportation for the I-75 Bridge Project, Project No. 08.102.6 as previously approved by City Council.

Yes: Kerwin, Schilling, Beltramini, Broomfield, Eisenbacher, Fleming  
No: None  
Absent: Howrylak

**MOTION CARRIED**

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**E-5 Chapter 28 – Tree Ordinance Proposed Revisions - No action taken**

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**E-6 Ratification of Contract Extension – American Federation of State, County and Municipal Employees (AFSCME) 2009-2010**

Resolution #2009-03-101  
Moved by Beltramini  
Seconded by Kerwin

RESOLVED, That Troy City Council hereby **RATIFIES** a one-year extension of the 2006-2009 collective bargaining agreement between the City of Troy and AFSCME for the period July 1, 2009 through June 30, 2010, and hereby **AUTHORIZES** the Mayor and City Clerk to execute the final agreement.

Yes: Schilling, Beltramini, Broomfield, Eisenbacher, Fleming, Kerwin  
No: None  
Absent: Howrylak

**MOTION CARRIED**

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**A-1 Continuation of Presentations:**

c) Transit Center update provided by Dan Beattie of Clark Hill, Washington D.C.

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**E-7 Implementation of Revenue Enhancements****a) Resolution to Amend Chapter 60 – Fees and Bonds Required – Notary Service and Dog Licenses**

Resolution #2009-03-102a  
Moved by Eisenbacher  
Seconded by Kerwin

RESOLVED, That Troy City Council hereby **ADOPTS** an ordinance amendment to Chapter 60, Fees and Bonds Required of the Troy City Code, Section 60.04, Fee Schedule, Dogs (Chapter 90) and Notary Service, as prepared by City Management and **AMENDED** by City Council that the “Senior Citizen (Age 62+) \$0.50” discount be **STRICKEN, EFFECTIVE** April 1, 2009, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: Beltramini, Broomfield, Eisenbacher, Fleming, Kerwin, Schilling  
No: None  
Absent: Howrylak

**MOTION CARRIED****b) Resolution to Amend Chapter 60 – Fees and Bonds Required – Planning Department Fees**

Resolution #2009-03-102b  
Moved by Eisenbacher  
Seconded by Kerwin

RESOLVED, That Troy City Council hereby **ADOPTS** an ordinance amendment to Chapter 60, Fees and Bonds Required of the Troy City Code, Section 60.04, Fee Schedule, Planning Department Fees, as prepared by City Management, **EFFECTIVE** April 1, 2009, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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

No: None

Absent: Howrylak

#### **MOTION CARRIED**

#### **c) Resolution to Amend Chapter 60 – Fees and Bonds Required – Fire Department Fees**

Resolution #2009-03-102c

Moved by Eisenbacher

Seconded by Kerwin

RESOLVED, That Troy City Council hereby **ADOPTS** an ordinance amendment to Chapter 60, Fees and Bonds Required of the Troy City Code – Fire Department, as recommended by City Management, **EFFECTIVE** April 1, 2009, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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

No: None

Absent: Howrylak

#### **MOTION CARRIED**

#### **d) Resolution to Amend Chapter 82A – Rental and Dwelling Inspection and Enforcement**

Resolution #2009-03-102d

Moved by Eisenbacher

Seconded by Kerwin

RESOLVED, That Troy City Council hereby **ADOPTS** an ordinance amendment to Chapter 82-A, Rental and Dwelling Inspection and Enforcement of the Troy City Code, as recommended by City Management and **AMENDED** by City Council that “blight” be **STRICKEN** in Section 7. (6) Inspection; Intervals; Basis; Inspectors, **EFFECTIVE** July 1, 2009, a copy of which shall be **ATTACHED** to the original Minutes of the meeting.

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

No: None

Absent: Howrylak

#### **MOTION CARRIED**

e) **Resolution to Amend Chapter 93 – Fire Prevention – Occupancy Permit Ordinance**

Resolution #2009-03-102e  
Moved by Eisenbacher  
Seconded by Kerwin

RESOLVED, That Troy City Council hereby **ADOPTS** an ordinance amendment to Chapter 93, Fire Prevention, of the Troy City Code as recommended by the City Management, **EFFECTIVE** April 1, 2009, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: Beltramini, Broomfield, Eisenbacher, Fleming, Kerwin, Schilling  
No: None  
Absent: Howrylak

**MOTION CARRIED**

f) **Resolution to Revise Building Department Fees**

Resolution #2009-03-102f  
Moved by Eisenbacher  
Seconded by Kerwin

RESOLVED, That Troy City Council hereby **REVISES** Plan Review Fees, from .0005 times the construction value to .001 times the construction value in accordance with the proposal prepared by City Management, **EFFECTIVE** April 1, 2009, a copy of which shall be **ATTACHED** to the original Minutes of the meeting.

Yes: Beltramini, Broomfield, Eisenbacher, Fleming, Kerwin, Schilling  
No: None  
Absent: Howrylak

**MOTION CARRIED**

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**E-8 Appointment of an Acting City Manager**

**Vote on Resolution A. E-8 Appointment of an Acting City Manager**

Resolution #2009-03-103  
Moved by Schilling  
Seconded by Kerwin

RESOLVED, That Troy City Council hereby **APPOINTS** Brian P. Murphy as Acting City Manager effective April 1, 2009.

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

**MOTION FAILED**

**Vote on Resolution B. E-8 Appointment of an Acting City Manager**

Resolution #2009-03-104  
Moved by Broomfield  
Seconded by Beltramini

RESOLVED, That Troy City Council hereby **APPOINTS** John M. Lamerato as Acting City Manager effective April 1, 2009.

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

**MOTION FAILED**

The meeting **RECESSED** at 10:42 PM

The meeting **RECONVENED** at 10:51 PM

**CONSENT AGENDA:**

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

Resolution #2009-03-105  
Moved by Beltramini  
Seconded by Eisenbacher

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Item F-4b, which **SHALL BE CONSIDERED** after Consent Agenda (F) items, as printed.

Yes: Fleming, Kerwin, Schilling, Beltramini, Broomfield, Eisenbacher  
No: None  
Absent: Howrylak

**MOTION CARRIED**

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

Resolution #2009-03-105-F-2

RESOLVED, That Troy City Council hereby **APPROVES** the Minutes of the 7:30 PM Regular City Council Meeting of March 2, 2009 as amended and corrected.

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**F-3 City of Troy Proclamations:**

Resolution #2009-03-105-F-3

RESOLVED, That Troy City Council hereby **APPROVES** the following City of Troy Proclamations:

- a) Service Commendation – Ron Figlan
- b) Service Commendation – Charles Craft

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**F-4 Standard Purchasing Resolutions****a) Standard Purchasing Resolution 3: Exercise Renewal Option – Quarterly Newsletter – Troy Today**

Resolution #2009-03-105-F-4a

WHEREAS, On April 16, 2007, a contract to provide printing of the Troy Today, Quarterly Newsletter with two, one (1) year options to renew was awarded to Grand River Printing and Imaging of Belleville, MI, the vendor with the highest weighted final score, as a result of a best value process (Resolution #2007-04-122-E-4a);

WHEREAS, On February 18, 2008, Troy City Council exercised the first option to renew for the 2008/2009 printing of the Troy Today quarterly newsletter with Grand River Printing and Imaging under the same terms and conditions with a price increase of \$1,100.00 per quarterly issue to recover costs due to fluctuations in paper (Resolution #2008-02-058-F4a); and

WHEREAS, Grand River Printing and Imaging has agreed to exercise the second option to renew for the 2009/2010 Troy Today under the same pricing structure, terms and conditions;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **EXERCISES** the second option to renew for the 2009/2010 printing of the Troy Today, Quarterly Newsletter with Grand River Printing and Imaging of Belleville, MI, to provide printing and distribution of the 2009/2010 Troy Today for an estimated total cost of \$75,000.00, as well as the actual cost of bulk rate postage and additional charges as needed not to exceed 10% of the original contract amount or \$7,500.00, with all other contract requirements the same to expire April 30, 2010.

**c) Standard Purchasing Resolution 9: Approval to Expend Funds for Membership Dues and Renewals Over \$10,000 – Michigan Municipal League**

Resolution #2009-03-105-F-4c

RESOLVED, That Troy City Council hereby **AUTHORIZES** payment for annual membership dues to the Michigan Municipal League, for the time period of May 1, 2009 through April 30, 2010, in the amount of \$12,534.00.

d) **Standard Purchasing Resolution 2: Bid Award – Lowest Bidder Meeting Specifications – Tax Bill Printing Services**

Resolution #2009-03-105-F-4d

RESOLVED, That Troy City Council hereby **AWARDS** a contract to provide printing services for the 2009 Summer and Winter Tax Bills with options to renew for two (2) additional one-year tax periods to the lowest acceptable bidder, DivDat, of Ferndale, MI, at prices contained in the bid tabulation opened February 25, 2009, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with a contract expiration of December 31, 2009.

e) **Standard Purchasing Resolution 3: Exercise Renewal Options – Municipal Testing Services**

Resolution #2009-03-105-F-4e

WHEREAS, On March 20, 2006, two (2) three-year contracts to provide professional municipal testing services effective April 1, 2006 through March 31, 2009, with the option to renew for an additional three (3) year period were awarded to Professional Service Industries, Inc. (PSI) and Testing Engineers and Consultants, Inc. (TEC), as a result of a best value process, at prices contained in the bid tabulation opened February 22, 2006 (Resolution #2006-03-143-E4d); and

WHEREAS, Professional Service Industries, Inc. (PSI) and Testing Engineers and Consultants, Inc. (TEC) have offered to renew their contracts for three (3) additional years under the same pricing schedule, terms and conditions as the 2006 contract;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **EXERCISES** the three-year option to renew the contracts for municipal testing services with Professional Service Industries, Inc. (PSI) of Auburn Hills and Testing Engineers and Consultants, Inc. (TEC) of Troy, MI, under the same pricing schedule, terms and conditions as the 2006 contract with additional services as outlined in their respective rate schedules, effective April 1, 2009 through March 31, 2012, with a provision for an increase based on the consumer price index inflation calculator or the (CPI) computation for the published Urban-Detroit/Ann Arbor Area between the base year of April 2009 and the current contract year, whichever is lower.

f) **Standard Purchasing Resolution 2: Bid Award – Lowest Bidder Meeting Specifications – Vehicle Graphics**

Resolution #2009-03-105-F-4f

RESOLVED, That Troy City Council hereby **AWARDS** a two-year contract to provide Police, Fire and Fleet departments with vehicle graphic material and/or installation, with an option to renew for two additional years, to the lowest acceptable total bidder, Majik Graphics, Inc. of Clinton Township, MI, at unit prices contained in the bid tabulation opened February 11, 2009, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with a contract expiration of March 31, 2011; and

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

g) **Standard Purchasing Resolution 4: Oakland County Cooperative Purchasing Agreement – Police and Fire Departments Radio Interoperability Project**

Resolution #2009-03-105-F-4g

RESOLVED, That Troy City Council hereby **APPROVES** a contract to purchase the dispatch radio interoperability equipment for the Police and Fire departments from Advanced Wireless Telecom (AWT) of Wixom, MI, through an Oakland County Cooperative Purchasing Agreement for an estimated total cost of \$10,587.00.

h) **Standard Purchasing Resolution 1: Award to Low Bidder – Parking Lot Maintenance**

Resolution #2009-03-105-F-4h

RESOLVED, That Troy City Council hereby **AWARDS** a contract to complete the City of Troy Parking Lot Maintenance Program for 2008/09 to the low total bidder, Asphalt Specialists, Inc., of Pontiac, MI, for JAYCEE PARK and SYLVAN GLEN PARK at unit prices contained in the bid tabulation opened March 4, 2009, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with the contract not to exceed budgetary limitations; and

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

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**F-5 Contract Amendment – Medical Service Facilities**

Resolution #2009-03-105-F-5

WHEREAS, On November 17, 2003, a contract to conduct physicals and related testing from Crittenton Hospital was approved for an estimated annual cost of \$61,437.00, at unit prices provided in the pricing schedule identified as Attachment A (Resolution #2003-11-591-F4);

WHEREAS, On December 19, 2005, contracts to provide designated professional services to City of Troy personnel from Concentra Medical Center, Crittenton Hospital, and Bio-Care was approved with pricing reviewed annually and adjustments allowed not-to-exceed the Consumer Price Index (CPI) for the Detroit-Ann Arbor area (Resolution #2005-12-549-F3); and

WHEREAS, All three facilities have submitted new pricing for 2009 at or below prices established for 2008;

THEREFORE, BE IT RESOLVED, That due to the aggressive pricing received from Concentra, Troy City Council hereby **AMENDS** the contracts to provide ongoing professional medical services to City of Troy personnel from Concentra of Troy, Crittenton Hospital of Rochester, and Bio-Care of Holt, MI, as detailed on the attached tabulation and protocol

reports, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, to expire December 31, 2009, with annual adjustments allowed not-to-exceed 3% or the Consumer Price Index (CPI) for the Detroit-Ann Arbor area, whichever is lower.

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**F-6 Contract Extension – Banquet Services**

Resolution #2009-03-105-F-6

WHEREAS, On October 21, 2002, Troy City Council approved a three (3) year contract to provide Banquet Services with an option to renew the contract for an additional three (3) year period to the San Marino Club, the highest scoring bidder as a result of a best value process (Resolution #2002-10-570-E9);

WHEREAS, On October 17, 2005, the option to renew was exercised for an additional three years with the San Marino Club under the same prices, terms and conditions expiring August 31, 2008 (Resolution #2005-10-474-D1); and

WHEREAS, The San Marino Club has offered to extend their contract for the Fire Fighters Appreciation Banquet to be held May 16, 2009, under the same prices, terms and conditions as the original contract;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** a contract to provide Banquet Services for the 2009 Fire Fighters Appreciation Banquet with the San Marino Club of Troy, MI, under the same pricing, terms, and conditions as the original contract at \$39.00 per plate including gratuity.

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**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 35 – Sidwell #88-20-22-276-046 – DePorre Property Investments, LLC**

Resolution #2009-03-105-F-7

RESOLVED, That Troy City Council hereby **APPROVES** the Agreement to Purchase Realty for Public Purposes between the DePorre Property Investments, LLC, owners of property having Sidwell #88-20-22-276-046, and the City of Troy, for the acquisition of right-of-way for Rochester Road Improvements, Torpey to Barclay in the amount of \$54,495.00, 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 \$6,705.00 from DePorre Property Investments, LLC, owners of property having Sidwell #88-20-22-276-046; 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.

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**F-8 Approval of Purchase Agreement and Acceptance of Permanent Public Utility Easement – Rochester Road Improvements, Torpey to Barclay – Project No. 99.203.5 – Parcel 47 – Sidwell #88-20-22-226-041 – Surg, LLC**

Resolution #2009-03-105-F-8

RESOLVED, That Troy City Council hereby **APPROVES** the Agreement to Purchase Realty for Public Purposes between the Surg, LLC, owners of property having Sidwell #88-20-22-226-041, and the City of Troy, for the acquisition of right-of-way for Rochester Road Improvements, Torpey to Barclay in the amount of \$15,000.00, 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 FURTHER RESOLVED, That Troy City Council hereby **ACCEPTS** the Permanent Public Utility Easement in the amount of \$2,100.00 from Surg, LLC, owners of property having Sidwell #88-20-22-226-041; 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.

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**F-9 Approval of Purchase Agreement and Acceptance of Permanent Public Utility Easement and Grading and Temporary Construction Permit – Rochester Road Improvements, Torpey to Barclay – Project No. 99.203.5 and Wattles Road Improvements, Bristol to Worthington – Project No. 01.106.5 – Parcel 20 – Sidwell #88-20-14-351-056 – JLJ Investments, LLC**

Resolution #2009-03-105-F-9

RESOLVED, That Troy City Council hereby **APPROVES** the Agreement to Purchase Realty for Public Purposes between JLJ Investments, LLC, owners of property having Sidwell #88-20-14-351-056, and the City of Troy, for the acquisition of right-of-way for Rochester Road Improvements, Torpey to Barclay in the amount of \$21,677.00, 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 \$48,857.00 and the Grading and Temporary Construction Permit in the amount of \$4,261.00 from JLJ Investments, LLC, owners of property having Sidwell #88-20-14-351-056; 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.

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**F-10 Approval of Purchase Agreement and Acceptance of Permanent Public Utility Easement and Regrading and Temporary Construction Permit – Rochester Road Improvements, Torpey to Barclay – Project No. 99.203.5 and Wattles Road Improvements, Bristol to Worthington – Project No. 01.106.5 – Parcel 49 – Sidwell #88-20-22-226-074 – CNL Net Lease Funding 2003**

Resolution #2009-03-105-F-10

RESOLVED, That Troy City Council hereby **APPROVES** the Agreement to Purchase Realty for Public Purposes between CNL Net Lease Funding 2003, owners of property having Sidwell #88-20-22-226-074, and the City of Troy, for the acquisition of right-of-way for Rochester Road Improvements, Torpey to Barclay in the amount of \$79,560.00, 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 \$39,500.00 and the Regrading and Temporary Construction Permit in the amount of \$1,100.00 from CNL Net Lease Funding 2003, owners of property having Sidwell #88-20-22-226-074; 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.

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**F-11 Troy Racquet Club Rates**

Resolution #2009-03-105-F-11

RESOLVED, That Troy City Council hereby **APPROVES** the 2009-2010 membership rates for Troy Racquet Club as stated in the report from the Parks and Recreation Department dated March 13, 2009, and **AUTHORIZES** the Mayor and City Clerk to execute the document, a copy of which shall be **ATTACHED** to the original minutes of this meeting.

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

**b) Standard Purchasing Resolution 3: Exercise Renewal Option – Liquid Calcium Chloride**

Resolution #2009-03-106

Moved by Eisenbacher

Seconded by Beltramini

WHEREAS, In 2008 Troy City Council awarded a one-year contract for Liquid Calcium Chloride with an option to renew for one (1) additional year to the lowest acceptable bidder, South Huron Industrial, Inc. of Flat Rock, MI (Resolution #'s 2008-04-120-F4e and #2008-05-154-F8); and

WHEREAS, South Huron Industrial, Inc. has agreed to exercise the one-year renewal option under the same prices, terms, and conditions;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **EXERCISES** the option to renew this contract with South Huron Industrial, Inc. of Flat Rock, MI, to provide Liquid Calcium Chloride under the same prices, terms, and conditions as the original contract expiring March 31, 2010.

Yes: Kerwin, Schilling, Beltramini, Broomfield, Eisenbacher, Fleming  
No: None  
Absent: Howrylak

**MOTION CARRIED**

**MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:**

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**G-1 Announcement of Public Hearings:**

- a) Outdoor Seating Request in Excess of 20 Seats - Pizzapapalis/Rio Wraps, 300 John R - April 6, 2009

Noted and Filed

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**G-2 Memorandums: None Submitted**

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**H-1 No Council Referrals Advanced**

**COUNCIL COMMENTS:**

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**I-1 Council Comments:**

**Evaluation Form - Executive Search - Position of City Manager**

Mayor Schilling indicated that Peggy Sears, Human Resources Director has provided Council with a generic evaluation form. She continued by stating before they can move forward, that City Council needs to standardize a rating system to evaluate each firm should they decide to proceed in the executive search for the position of city manager by using their assistance.

Council Member Eisenbacher shares the concern about the cost associated with hiring a firm to assist Council with their search. Therefore, Council Member Eisenbacher would like to allocate fifty points for the "Cost to Complete Project" criteria and divide the remaining fifty points equally between the other areas.

Council Member Beltramini believes designating twenty-five points to "Project Timetable" is a misuse of twenty-five points. She explained if the firm cannot meet the 120 day timetable, then

they cannot use them for the search. Council Member Beltramini questioned why “Project Timetable” should be included at all.

In regard to “Experience/Qualifications”, Council Member Beltramini stated she would like to narrow it down to the last four years for the “Recent Searches in Michigan” because of all the changes Michigan is currently experiencing.

Council Member Beltramini also shares the concern about the cost. She suggested that they apply the twenty-five points taken away from the “Project Timetable” to “Cost to Complete Project”.

Mayor Schilling reminded Council that they actually need to complete their search within 100 days because the 120 days is the date a city manager must be appointed.

Council Member Broomfield asked whether some of the firms would be willing to meet for brief face-to-face interviews as soon as possible. She asked that points be assigned to this criterion because it is important to her.

Council Member Kerwin has no comments about the evaluation form but questioned why Council feels the need to go the outside to search when they currently have two qualified assistant managers. She explained that they would then have no need to begin a lengthy search and transition process or expend funds unnecessarily. She noted that the city is currently operating in a time where they are looking closely at expenses and that they have utilized search firms in the past and have not gotten the best results.

Mayor Schilling’s belief has always been that they should promote from within and consider the two highly qualified assistant city managers in addition to avoiding having to pay the high cost associated with hiring a search firm. However, she also wants to have input on the evaluation form that the majority of City Council requested that Human Resources prepare so Council can assess the firms judiciously.

Council Member Broomfield recalled that City Council indicated current management personnel could submit their resumes for the position of city manager. However, she does not believe it is necessary and questioned why they would pay a search firm to interview people Council already knows. Council Member Broomfield wants the search firms to only bring forth new people and not require current personnel to apply through them because she believes they deserve more consideration. She also believes that City Council is obligated to conduct a search process for the city manager position on behalf of the citizens.

Council Member Fleming would like to extend the search to include the private sector.

Council Member Eisenbacher’s only interest in moving forward with the search process is to get the best person for the city and he believes all of City Council shares this same interest. He considers both assistant city managers to be a given. He would like them to interview and he is not willing to pay a fee to find them. He stated that that anyone coming in would have to be at a minimum, better than the two assistant city managers before he would consider someone from the outside. Council Member Eisenbacher stated that there is a likelihood that they will not find someone. However, if they do not look, it would be a disservice because their shared interest should be to find the best person possible.

Peggy Sears, Human Resources Director cautioned City Council when assigning points to the "Cost to Complete Project" category. Ms. Sears suggested that City Council may want to give themselves more freedom in making a decision. She explained although City Council may find a firm that is the optimal choice in terms of their points, the firm may not fit within their budget. Ms. Sears reported that the City spent approximately \$21,000.00 to conduct their last search. Therefore, she anticipates spending not much less than that, if at all. In terms of the points allotted, Ms. Sears does not believe City Council should be concerned as to whether there are twenty-five points in one category or twenty points in another. She believes City Council's approach will be more of an individual approach in that one person may assign a value of twelve points for one category and another will assign twenty. She explained although the points will vary, they will vary consistently from one search firm to the other. Consequently, Ms. Sears believes the number of points assigned to the chart categories is not really that relevant because they may be weighted equally or they may be weighted separately. She continued by explaining that as each Council Member evaluates each firm they will not be giving them either a value of twenty-five or zero. In other words, Ms. Sears clarified by stating that they will not be giving a weighted rating.

Ms. Sears explained the purpose of the matrix is to provide the framework for City Council members to organize their thoughts so that if the decision is made to go with a search firm, they will have a mechanism to rank them philosophically rather than strictly point wise.

Council Member Beltramini asked whether Ms. Sears is recommending that they assign no points to "Cost to Complete Project" and treat the "Project Timetable" both as subjective deal breakers, deal makers, or use them in the case of a tie.

Ms. Sears agreed.

Council Member Beltramini suggested they assign thirty points each to: "Ability to Meet Objectives", "Experience/Qualifications" and "Person Assigned" and ten points to whether a face-to-face meeting was held.

Ms. Sears interjected that City Council may not be able to determine whether or not a firm is available to meet face-to-face within the next week to ten days by reviewing the proposals.

Council Member Broomfield believes that if they do not use a point system that it may come down to points for City Council to be able to make their decision.

Ms. Sears suggested that once they get their point system to where each Council Member will have an idea where their selection will land, they will then have a selection between one to three. She reminded Council that because this is a service, that they are not bound to make a selection based upon which firm received the most points or charged the lowest fee. However, she noted that they will have to be able to describe what it is that they like or dislike about an individual firm.

Council Member Kerwin reminded City Council that face-to-face interviews would require the scheduling of a special meeting and realize that there is potential for members being absent. Council Member Eisenbacher believes this item is already scheduled for a Study Session on Monday, March 30, 2009.

Ms. Sears believes that the firms did not anticipate a face-to-face interview because of the deadline condition.

Council Member Broomfield asked if it would be feasible to contact the six firms in regard to their availability for a face-to-face interview.

Ms. Sears can contact the firms but believes it may be a lot of interviews to schedule for a single study session.

Council Member Broomfield suggested that they could schedule an additional session depending on the response.

Ms. Sears is not certain whether or not there would be an opportunity to schedule another meeting. She noted that the last search required exactly 120 days from the time the firm was selected until the appointment was made. She added that many of the firms are not local and she's not certain how close they would come to not meeting the 120 deadline if an additional meeting were scheduled.

Council Member Broomfield knows they're on a timeline, but she doesn't want the timeline to be the driving factor. She continued by stating that they could appoint a City Manager with a two month contract if they wanted to. She would like an effort to be made to have the opportunity to meet the firms before a decision is made.

Council Member Eisenbacher recommends that they allocate four points to the "Face-toFace Interview" category and twenty-four points to the remaining categories. He continued by stating that once they set the criteria, they will receive copies of the proposal from staff and meet with those firms that are available to meet with them. He noted that once this is accomplished, they will be ready to make their selection.

Council Member Beltramini still has a little bit of angst about assigning the same value to "Cost to Complete Project" that is also assigned to the other three criteria.

**Vote on Resolution to Suspend Rules of Procedure for the City Council, Rule #6 – Order of Business, Article 15 I.**

Resolution #2009-03-107

Moved by Schilling

Seconded by Eisenbacher

RESOLVED, That Troy City Council hereby **SUSPENDS** Rules of Procedure for the City Council, Rule #6 *Order of Business*, Article 15-I. Council Comments and **AUTHORIZE** City Council to discuss and take action on an item that does not appear on the agenda.

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

No: None

Absent: Howrylak

**MOTION CARRIED**

**Vote on Resolution to Approve and Revise Evaluation Form – Executive Search – Position of City Manager**

Resolution #2009-03-108

Moved by Eisenbacher

Seconded by Beltramini

RESOLVED, That Troy City Council hereby **APPROVES** the *Evaluation Form – Executive Search – Position of City Manager* with the following **REVISIONS**:

- **INSERT** “Conducting Private Sector Executive Searches” under EXPERIENCE/ QUALIFICATIONS; and
- **STRIKE** “Recent Searches in Michigan” and **INSERT** “Recent Searches within the last 4 years in Michigan” under EXPERIENCE/ QUALIFICATIONS; and
- **STRIKE** “PROJECT TIMETABLE and **INSERT** “FACE-TO-FACE INTERVIEW”; and
- **STRIKE** “PERSONNEL ASSIGNED” and **INSERT** “PERSON ASSIGNED”; and
- **ALLOCATE** 4 points for “FACE-TO-FACE INTERVIEW”; and
- **ALLOCATE** 24 points each for “ABILITY TO MEET OBJECTIVES”; “EXPERIENCE/ QUALIFICATIONS”; “PERSON ASSIGNED” and “COST TO COMPLETE PROJECT”.

Yes: Beltramini, Broomfield, Eisenbacher, Fleming, Schilling

No: Kerwin

Absent: Howrylak

**MOTION CARRIED**

Council Member Eisenbacher asked whether there were any conversations with the search firms in regard to the two assistant city managers being preselected and outside of the search.

Ms. Sears has had no conversations with the search firms. She continued by stating that each firm was provided with the written proposal and with information provided in the last search. Ms. Sears indicated that most consultants will address that in their proposal in terms of their fee.

Ms. Sears asked for clarification in regard to the out of state firms who are not available for face-to-face interviews.

Council Member Eisenbacher stated that video conferences would be acceptable.

Council Member Beltramini would like the search process to continue to move forward even if a Council Member is unable to be present.

Council Member Kerwin asked whether the \$21,000.00 fee quoted for the previous search included lodging and transportation?

Ms. Sears replied that the \$21,000.00 fee was strictly the consultant’s cost.

Council Member Beltramini reported free mammogram testing is available at Pontiac Osteopathic Hospital. She advised that appointments can be scheduled by calling (248) 338-5608 or by calling (248) 969-7353 for the Oxford location on North Lapeer Road.

As a cost savings measure, Council Member Beltramini asked City Council members to pick up their mail from the City Clerk's office any time they are at City Hall.

## REPORTS:

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### J-1 Minutes – Boards and Committees:

- a) Charter Revision Committee/Final – June 30, 2008
- b) Election Commission/Final – September 26, 2008
- c) Youth Council/Final – December 17, 2008
- d) Historic District Study Committee/Final – January 5, 2009
- e) Advisory Committee for Senior Citizens/Final – January 8, 2009
- f) Historic District Study Committee/Final – February 3, 2009
- g) Building Code Board of Appeals/Final – February 4, 2009
- h) Planning Commission/Final – February 10, 2009
- i) Board of Zoning Appeals/Draft – February 17, 2009
- j) Planning Commission/Special Study/Draft – February 24, 2009
- k) Planning Commission/Special Study/Final – February 24, 2009
- l) Youth Council/Draft – February 25, 2009
- m) Historic District Study Committee/Draft – March 3, 2009
- n) Planning Commission Special/Study/Draft – March 3, 2009
- o) Planning Commission Special/Study/Final – March 3, 2009
- p) Advisory Committee for Persons with Disabilities/Draft – March 4, 2009
- q) Animal Control Appeal Board/Draft – March 4, 2009
- r) Charter Revision Committee/Draft – March 5, 2009
- s) Election Commission/Draft – March 9, 2009

Noted and Filed

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### J-2 Department Reports:

- a) Building Department – Permits Issued During the Month of January 2009
- b) Building Department – Permits Issued During the Month of February 2009

Noted and Filed

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### J-3 Letters of Appreciation:

- a) Letter of Appreciation to Chief Craft from Walsh College President Stephanie Bergeron Regarding the Assistance Received with Traffic Flow during Commencement Ceremonies
- b) Letter of Appreciation to Chief Craft from Ronald Tatro Regarding the Assistance Received with the *Office of Violence against Women Elder Abuse Training Program*
- c) Letter of Thanks to Cindy Stewart from Advisory Committee for Persons with Disabilities Chair Angie Done Regarding the Completion of the *Disabilities Resource Guide*

Noted and Filed

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

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**J-5 Communication Regarding Notice of Opportunity to Comment Before the Michigan Public Service Commission – FirstEnergy Solutions – File No. U-15832**  
Noted and Filed

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**J-6 Communication from the Arbor Day Foundation Regarding Troy Being Named a Tree City USA**  
Noted and Filed

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**J-7 Communication from City Attorney Lori Grigg Bluhm Regarding Public Comment Statement about Assessor**  
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**

**ADJOURNMENT**

The meeting **ADJOURNED** at 11:33 PM.

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Louise E. Schilling, Mayor

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Tonni L. Bartholomew, MMC  
City Clerk

## Service Commendation

**WHEREAS**, the Mayor and City Council of the City of Troy wish to express on behalf of the City, their appreciation to

### **RON TSCHIRHART**

In recognition of outstanding service to the community, and

**WHEREAS**, He has at all times furthered those ideals that contribute to a better community.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and City Council, being the duly elected voice of the citizens of Troy, express the City's appreciation and recognition for this distinguished citizen's service since **February 1993 through April 2008** as a member of the

## PERSONNEL BOARD

**BE IT FURTHER RESOLVED**, that a copy of this resolution be presented as a lasting expression of the City's gratitude and appreciation for Ron Tschirhart's contribution to the betterment of the City of Troy, Michigan.

Presented this 30<sup>th</sup> day of March 2009.



## CITY COUNCIL ACTION REPORT

March 18, 2009

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Economic Development Services  
Susan A. Leirstein, Purchasing Director  
Timothy L. Richnak, Public Works Director

SUBJECT: Standard Purchasing Resolution 2: Bid Award –Low Bidder Meeting Specifications – Asphalt Patching Material – Cold

### **Background**

- On March 3, 2009, bid proposals were electronically received and opened to furnish one-year requirements of Asphalt Patching Material - Cold.
- 40 Vendors were notified of the bid opportunity via the MITN system with two (2) bid responses received.
- Ajax Materials Corporation, the apparent low bidder; was disqualified because they would only hold pricing for six (6) months from the date of award, not one-year as specified.

### **Financial Consideration**

- Funds are available through the Public Works operating budgets for Streets and Water Divisions.

### **Legal Considerations**

- ITB-COT 09-10, to furnish one-year requirements of Asphalt Patching Material – Cold – was competitively bid as required by City Charter and Code.
- The award is contingent upon contractor's submission of proper insurance certificates, and all other specified requirements.

### **Policy Considerations**

- QPR/UPM material is used in the general patching and maintenance of major and local roads and drains. (Outcome Statement II)
- All bidders were given the opportunity to respond with their level of interest in supplying asphalt patching material to the City of Troy. (Goal II).

### **Options**

- City management recommends awarding a contract to provide one-year requirements of asphalt patching material – cold to the lowest bidder meeting specifications, Ultimate Epoxy d/a C&D Holdings Limited of Lake Orion, MI, at pricing contained in the bid tabulation opened March 3, 2009.

Opening Date -- 03-03-09  
 Date Prepared -- 03/18/09

CITY OF TROY  
 BID TABULATION  
 ASPHALT PATCHING MATERIAL - Cold

VENDOR NAME:

sl

\*\*

ITEM #	EST QTY (TONS)	DESCRIPTION	Price/Ton			
				<b>Ultimate Epoxy</b>		
				<b>D/A C &amp; D Holdings Limited</b>		
				(w/terms)		
				\$ 102.32		
				\$ 103.35		
1	400	QPR/UPM or Approved Alternate		Big Asphalt		
		<b>BRAND:</b>				
				\$ 40,926.60		
		<b>ESTIMATED TOTAL COST</b>		\$ 41,340.00		
		<b>INSURANCE:</b>	Can Meet Cannot Meet	XX		
		<b>PAYMENT TERMS:</b>		1% - 10/30 Days Net		
		<b>WARRANTY:</b>		Blank		
		<b>DELIVERY:</b>		Within 48 Hrs		
		<b>MINIMUM ORDER:</b>		50 Tons \$2,000 required		
		<b>EXCEPTIONS:</b>		Prices held until 2/28/2010		
				Offering product that		
				is currently in use at		
				two other entities - Madison Hgts and Ann Arbor		

DMS:  
 Ajax Materials Corporation (\$37,780.00) Reason: Pricing firm for (6) months from date of award - bid documents specified one-year

ATTEST:  
Tom Rosewarne  
Diane Fisher  
Deanna Theobald  
Linda Bockstanz

PROPOSAL: One-Year Requirements of Asphalt Patching Material - Cold

\*\* DENOTES LOW BIDDER MEETING SPECIFICATIONS

\_\_\_\_\_  
 Susan Leirstein CPPB  
 Purchasing Director



## CITY COUNCIL ACTION REPORT

March 18, 2009

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Economic Development Services  
Susan A. Leirstein, Purchasing Director  
Timothy L. Richnak, Public Works Director

SUBJECT: Standard Purchasing Resolution 1: Award To Low Bidders – Transit Mixed Concrete

### Background

- On March 12, 2009, bid proposals were electronically received for one-year requirements of Transit Mixed Concrete with an option to renew for one additional year.
- A secondary supplier is awarded in the event that the primary supplier is unable to provide material, or meet delivery needs.
- 32 vendors were notified of the bid opportunity via the MITN system. Three bidders responded.

### Financial Consideration

- Funds are available in the Operating Budgets of the Streets Division for major and local drains, road and sidewalk surface maintenance; and the Water Division for mains, service and tap-in maintenance.

### Legal Considerations

- ITB-COT 09-16, to furnish one-year requirements of Transit Mixed Concrete was competitively bid as required by City Charter and Code.
- Awards are contingent upon contractor's submission of proper insurance certificates and all specified requirements.

### Policy Considerations

- Proper maintenance of our roadways and other public infrastructure enhances the livability and safety of the community. (Outcome Statement I)
- All bidders were given the opportunity to respond with their level of interest in supplying transit mixed concrete material to the City of Troy. (Goal II)

### Options

- City management recommends awarding the contract to low bidder, Nagy Ready Mix, Inc, of Utica, as the primary supplier at unit prices listed in the bid tabulation. In addition, in the event that the primary supplier is unable to supply material as specified, Superior Materials, LLC of Farmington Hills, MI, shall be named as the secondary supplier.

Opening Date -- 3/12/09  
 Date Prepared -- 3/18/09

CITY OF TROY  
 BID TABULATION  
 TRANSIT MIXED CONCRETE

sl

VENDOR NAME:			<b>Nagy Ready</b>	<b>Superior</b>	Arlington
			<b>Mix, Inc.</b>	<b>Materials, LLC</b>	Transit Mix, Inc.
			<b>Primary</b>	<b>Secondary</b>	
EST	UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE	UNIT PRICE
ITEM	QTY	DESCRIPTION	PRICE/YD	PRICE/YD	PRICE/YD
<b><u>PROPOSAL A: WEEKDAY DELIVERY</u></b>					
				(w/terms)	(w/terms)
1	100 YDS	6 SACK MIX	\$ 74.00	\$ 75.735	\$ 86.73
				\$ 76.50	\$ 88.50
2	800 YDS	7 SACK MIX (High Early)	\$ 79.00	\$ 80.685	\$ 92.61
				\$ 81.50	\$ 94.50
3	200 YDS	12 HR 300 PSI MIX Flexural Strength/ 7 sack	\$ 81.00	\$ 83.655	\$ 80.85
				\$ 84.50	\$ 82.50
<b><u>SPLIT LOAD CHARGES</u></b>					
4	20 TIMES	2 LOCATIONS	\$ 50.00	No Cost	No Cost
5	5 TIMES	3 LOCATIONS	\$ 50.00	No Cost	No Cost
6	30 TIMES	BELOW MINIMUM LOAD CHARGE	\$ 50.00	\$ 79.20	No Cost
				\$ 80.00	
7	40 YDS	COLD WEATHER PROTECTION	\$ 4.00	\$ 4.95	\$ 6.86
				\$ 5.00	\$ 7.00
<b>ESTIMATED TOTAL PROPOSAL A-</b>			<b>\$ 89,710.00</b>	<b>\$ 92,350.00</b>	<b>\$ 101,230.00</b>
<b><u>PROPOSAL B: SATURDAY DELIVERY</u></b>					
8	25 YDS	6 SACK MIX	\$ 79.00	\$ 80.685	\$ 86.73
				\$ 81.50	\$ 88.50
9	100 YDS	7 SACK MIX (High Early)	\$ 84.00	\$ 85.635	\$ 86.73
				\$ 86.50	\$ 88.50
10	100 YDS	12 HR 300 PSI MIX Flexural Strength/ 7 sack	\$ 86.00	\$ 88.605	\$ 92.61
				\$ 89.50	\$ 94.50
<b><u>SPLIT LOAD CHARGES</u></b>					
11	5 TIMES	2 LOCATIONS	\$ 50.00	No Cost	\$ 92.61
12	2 TIMES	3 LOCATIONS	\$ 50.00	No Cost	\$ 80.85
					\$ 94.50
13	10 TIMES	BELOW MINIMUM LOAD CHARGE	\$ 50.00	\$ 79.20	\$ 80.85
				\$ 80.00	\$ 82.50
14	10 YDS	COLD WEATHER PROTECTION	\$ 5.00	\$ 4.95	No Cost
				\$ 5.00	
<b>ESTIMATED TOTAL PROPOSAL B -</b>			<b>\$ 19,875.00</b>	<b>\$ 20,282.625</b>	<b>\$ 21,535.50</b>
				<b>\$ 20,487.50</b>	<b>\$ 21,975.00</b>
<b>ESTIMATED GRAND TOTAL--</b>			<b>\$ 109,585.00</b>	<b>\$ 111,709.13</b>	<b>\$ 120,740.90</b>
				<b>\$ 112,837.50</b>	<b>\$ 123,205.00</b>
UNLOADING TIME PER CUBIC YARD:			6 Minutes	6 Minutes	No Charge
MINIMUM LOAD:			7 CY	2 YDS	No Charge
HOURS OF OPERATION:			Sat 7-noon M-F 7AM to 5PM	Sat 7-12pm M-F 7AM to 5PM	7 AM to 6 PM
24 HRS PHONE NO.			586-206-5810	248-521-9948	586-615-2380

Opening Date -- 3/12/09  
 Date Prepared -- 3/18/09

CITY OF TROY  
 BID TABULATION  
 TRANSIT MIXED CONCRETE

VENDOR NAME:		Nagy Ready	Superior	Arlington	
		Mix, Inc.	Materials, LLC	Transit Mix, Inc.	
		Primary	Secondary		
INSURANCE:	Can Meet	XX	XX	XX	
	Cannot Meet			XX	
	Signed Y or N	Yes	Yes	Yes	
PAYMENT TERMS	Net 30 Days	1% Net 10th	2% discount - payment less 30 days		
WARRANTY:	Blank	One Year	Blank		
EXCEPTIONS:	Pricing good til 4/1/10	Min. Load Table	Blank		
		Attached To Bid			

PROPOSAL-- One-Year Requirements of Transit Mixed Concrete with an Option to Renew for One Additional Year

ATTEST:

Deanna Theobald  
Thomas Rosewarne  
Diane Fisher  
Linda Bockstanz

**HIGHLIGHTED AREAS DENOTES LOW BIDDERS**

\_\_\_\_\_  
 Susan Leirstein CPPB  
 Purchasing Director



## CITY COUNCIL ACTION REPORT

March 17, 2009

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Assistant City Manager/Economic Development Services  
Susan A. Leirstein, Purchasing Director  
Timothy L. Richnak, Public Works Director

SUBJECT: Standard Purchasing Resolution 2: Bid Award – Sole Bidder Meeting  
Specifications – Asphalt Paving Materials

### **Background**

- On March 6, 2009, bid proposals were electronically received for one-year requirements of Asphalt Paving Materials – Hot Patch with an option to renew for one additional year.
- 36 Vendors were notified of the bid opportunity via the MITN system. One vendor, Ajax Materials Corporation of Troy, submitted the sole bid.

### **Financial Consideration**

- Funds are available in the Operating Budgets of the Streets Division for major and local drain and road surface maintenance; and the Water Division for mains, service and tap-in maintenance.

### **Legal Considerations**

- ITB-COT 09-11, Asphalt Paving Materials - Hot Patch was competitively bid as required by City Charter and Code.

### **Policy Considerations**

- Hot asphalt is used in the patching and general maintenance of major and local roads and drains, as well as public infrastructure parking lots and trails. (Outcome Statement II)

### **Options**

- City management recommends awarding a one-year contract with an option to renew for one additional year to furnish Asphalt Paving Materials – Hot Patch to the sole bidder, Ajax Materials Corporation of Troy, MI, with plants in Rochester Hills, for an estimated total cost of \$92,437.50, at unit prices contained in the bid tabulation opened March 6, 2009.

CITY OF TROY  
 BID TABULATION  
 ASPHALT PAVING MATERIALS - HOT PATCH

ITB-COT 09-11

Opening Date -- 03-06-09  
 Date Prepared -- 03/11/09

VENDOR NAME:

sl

Ajax Materials Corporation				
Unit Price				
1	200	1100T 36A Wearing	\$ 51.00	
2	300	1100T 20AA Wearing	\$ 46.00	
3	200	1100L 20AA Leveling	\$ 45.00	
4	1000	Commercial Top	\$ 46.75	
5	250	Commercial Base	\$ 41.75	
6	500 gals	Bulk Tack Coat	\$ 4.50	available at Plant #2 - Bald Mountain
<b>ESTIMATED TOTAL COST:</b>			\$ 92,437.50	
OPTION: Tack Coat		5 gallon pails	\$55.00/pail	available at Plant #3 - Crooks Road
<b>PROXIMITY:</b>		Hrs of Operation	M-F 7 AM to 4 PM	
		Notice of Pick up M-F	24 Hours	
		Saturday	Call for Availability	
		Location	Plant #3 - Crooks Rd 2240 Avon Industrial Rochester Hill, MI	
		Miles	6.0 Miles	
<b>PAYMENT TERMS:</b>			Net 30 Days	
<b>DELIVERY:</b>			24 Hr Notice	
<b>MINIMUM ORDER:</b>			One (1)	
<b>EXCEPTIONS:</b>			Prices from 5/2009 thru 11/2009	
			Attached To Online Response	

PROPOSAL: One-Year Requirements of Asphalt Paving Materials - Hot Patch with an Option to Renew for One Additional Year

ATTEST:

Cheryl Stewart  
 Deanna Theobald  
 Linda Bockstanz

**SOLE BIDDER MEETING SPECIFICATIONS**

Susan Leirstein CPPB  
 Purchasing Director



## CITY COUNCIL ACTION REPORT

March 18, 2009

TO: Phillip L. Nelson, City Manager

FROM: John M. Lamerato, Assistant City Manager/Finance & Administration  
Susan A. Leirstein, Purchasing Director  
Carol K. Anderson, Parks and Recreation Director

SUBJECT: Standard Purchasing Resolution 2: Bid Award-  
Lowest Acceptable Bidders Meeting Specifications  
Fertilization Services at Sylvan Glen and Sanctuary Lake Golf Courses

### **Background**

- On March 5, 2009, two (2) bids were received and opened for IBT-COT 09-04 to provide one-year requirements of fertilization services for Sylvan Glen and Sanctuary Lake Golf Courses with an option to renew for one additional year.
- 239 vendors were notified via the MITN system.
- Vendors are required to provide all fertilizers in bulk form and have application equipment capable of handling bulk fertilizer with no damage to the golf course grounds.
- Both companies Turfgrass Inc. of Novi, MI, and Tri-Turf Inc. of Farmington Hills, MI, submitted bids and many alternate fertilizers. All fertilizer formulas were analyzed and those not meeting specifications identified by either nitrogen sources, fertilizer residual, percentages of slow release nutrient sources or being more costly to apply per acre.
- Upon analyzing all bids including alternates, it was determined to be in the City's best interest to split the bid as follows:
  - Spring Fairway Application for Sylvan Glen Golf Course to Tri-Turf Inc. of Farmington Hills, MI. 21-0-21 Fertilizer at a cost of \$0.55 per pound plus application fee.
  - Rough Application for Sylvan Glen Golf Course to Tri-Turf Inc. of Farmington Hills, MI 25-0-14 Fertilizer at a cost of \$0.537 per pound plus application fee.
  - Spring Fairway Application for Sanctuary Lake Golf Course to Tri-Turf Inc. of Farmington Hills, MI 25-0-15 Fertilizer at a cost of \$0.63 per pound plus application fee.
  - Summer Fairway Application for Sylvan Glen and Sanctuary Lake Golf Courses to Turfgrass Inc. of Novi, MI 24-0-22 Fertilizer at a cost of \$0.914 per pound plus application fee.

March 18, 2009

To: Phillip L. Nelson, City Manager  
Re: Bid Award – Lowest Bidders Meeting Specifications – Fertilization Services

### **Financial Considerations**

- Funds for these services are available in the contractual service grounds maintenance accounts for Sylvan Glen #584.785.7802.050 and Sanctuary Lake #583.765.7802.050.

### **Legal Considerations**

- ITB-COT 09-04 to provide fertilizer application services for both golf courses was competitively bid as required by City Charter and Code.
- The awards are contingent upon contractors' submission of proper insurance certificates, and all other specified requirements.

### **Policy Considerations**

- Awarding contracts to vendors saves labor costs in personal service, and is a more efficient, safe means of applying fertilizer to large areas of the golf courses in a timely manner with little or no disruption to staff or our cliental. (Outcome Statement II)
- Changes in the specification process generated a wider selection of fertilizers and analysis allowing staff the ability to increase acreage at an estimated cost less than those previously bid. (Priority Funding Output J)

### **Options**

- City management and the Golf Division of the Parks and Recreation department recommend splitting the award for fertilization services for Sylvan Glen and Sanctuary Lake Golf Courses to the lowest bidders meeting specifications, Turfgrass, Inc. of Novi, MI, and Tri-Turf Inc. of Farmington Hills MI, at unit prices contained in the bid tabulation with a contract expiration of December 31, 2009.

VENDOR NAME:

Tri-Turf	Turfgrass, Inc
14559536	9468400905
<b>\$500.00</b>	<b>\$500.00</b>

CHECK #  
AMOUNT

**PROPOSAL-- FURNISH ONE (1) YEAR REQUIREMENTS OF FERTILIZATION SERVICES AT SYLVAN GLEN AND SANCTUARY LAKE GOLF COURSES WITH AN OPTION TO RENEW FOR ONE (1) ADDITIONAL YEAR**

<b>PROPOSAL "A"</b>	<b>SYLVAN GLEN GOLF COURSE</b>	<b>#F/Acre</b>	<b>Cost/Pound</b>	<b>#F/Acre</b>	<b>Cost/Pound</b>
<i>For Golf Course Fairways &amp; Roughs &amp; Berms</i>					
<b>21 Acres</b>	Spring Cost per pound	207	\$ 0.550	261	\$ 0.742
<b>30 Acres</b>	Summer Cost per pound	272	\$ 0.810	236	\$ 0.914
				Alt 202	\$ 0.795 =>DMS
				Alt 171	\$ 0.777 =>DMS
<b>70 Acres</b>	Spring/Summer Cost per pound	175	\$ 0.537	201	\$ 0.670
				Alt 182	\$ 0.436 =>DMS

<b>PROPOSAL "B"</b>	<b>SANCTUARY LAKE GOLF COURSE</b>	<b>#F/Acre</b>	<b>Cost/Pound</b>	<b>#F/Acre</b>	<b>Cost/Pound</b>
<i>For Golf Course Fairways &amp; Roughs &amp; Berms</i>					
<b>64 Acres</b>	Spring Cost per pound	175	\$ 0.630	254	\$ 0.632
<b>64 Acres</b>	Summer Cost per pound	272	\$ 0.810	272	\$ 0.914
				Alt 233	\$ 0.795 =>DMS
				Alt 198	\$ 0.777 =>DMS

<b>PROPOSAL "C"</b>	<b>APPLICATION SERVICE COSTS</b>	<b>Cost/Acre</b>	<b>Cost/Acre</b>
<b>249 Total Acres</b>	For Golf Course Fairways & Roughs & Berms at Both Facilities		
	15-50 acres	\$ 18.50	\$ 16.25
	51-150 acres	\$ 16.25	
	151- + acres	\$ 14.00	

**ESTIMATED TOTAL AWARDED ITEMS:** **\$ 18,543.85** **\$ 23,909.53**

<b>SITE INSPECTION:</b>	Y/N	Yes	Yes
	DATE	Many Times	Various Dates
<b>CONTACT INFORMATION:</b>	Hours of Operation	8-5pm	6am-9pm
	24HR Phone Number	248.640.4439	248.866.6081
<b>INSURANCE:</b>	Can Meet	XX	XX
	Cannot Meet		
<b>ALTERNATE INSURANCE: POLLUTION COVERAGE</b>	Can Meet	Blank	XX
	Cannot Meet	Blank	
<b>FINAL INSURANCE CERTIFICATION</b>	Y or N	Yes	Yes
<b>BIDDER'S QUESTIONNAIRE</b>	Attached: Y or N	Yes	Yes
<b>PAYMENT TERMS:</b>		2%, 10, Net 30	N 30 Days
<b>WARRANTY:</b>		Per Manufacturer	Per Manufacturer
<b>EXCEPTIONS:</b>		See Attachment To Bid	Bid Includes approved Alternates. Product info sheets attached
<b>ACKNOWLEDGEMENT</b>	Y or N	Yes	Yes

NO BID:  
Lesco, Inc

**HIGHLIGHTED AREAS DENOTES LOWEST ACCEPTABLE BIDDERS**

ATTEST:  
Diane Fisher  
Danny McDonald  
Linda Bockstanz

\_\_\_\_\_  
Susan Leirstein CPPB  
Purchasing Director



## CITY COUNCIL ACTION REPORT

March 23, 2009

TO: Phillip L. Nelson, City Manager

FROM: Brian P. Murphy, Asst. City Manager/Economic Development Services  
Steven J. Vandette, City Engineer *SV*

SUBJECT: Private Agreement for 1401 Crooks – Phase I  
Project No. 08.928.3

### Background:

- The Planning Commission granted preliminary site plan approval for the above referenced project on January 13, 2009. The Engineering Department has reviewed the plans for this project and recommends approval. The plans include water main and storm sewer improvements. The site is located in the NE ¼ of section 32.

### Financial Considerations:

- The owner has provided the necessary escrow deposit and paid the cash fees in accordance with the attached Private Agreement.

### Legal Considerations:

- There are no legal considerations associated with this item.

### Policy Considerations:

- Troy is rebuilding for a healthy economy reflecting the values of a unique community in a changing and interconnected world.

### Options:

- Council can approve or deny the recommendation.

cc: Tonni Bartholomew, City Clerk (Original Agreement)  
James Nash, Financial Services Director

**Detailed Summary of Required Deposits & Fees**  
**1401 Crooks - Phase 1**  
**08.928.3**

<b><u>TOTAL ESCROW DEPOSITS (Refundable):</u></b>	<u>\$20,107</u>
<b><u>CASH FEES (Non-Refundable):</u></b>	
Water Main Testing and Chlorination	<u>\$650</u>
Engineering Review Fee (Private Improvements)	<u>\$7,407</u>
Plan Review and Construction Inspection Fee (Public Improvements)	<u>\$1,629</u>
Soil Erosion & Sedimentation Control Permit Fee	<u>\$1,200</u>
Total Non-Refundable Cash Fees:	<u>\$10,886</u>
<b><u>CASH DEPOSITS (Refundable):</u></b>	
Street Cleaning/Road Maintenance	<u>\$2,500</u>

# City Of Troy

## Contract for Installation of Municipal Improvements (Private Agreement)

Project No.: 08.928.3

Project Location: NE 1/4 Section 32

Resolution No: \_\_\_\_\_

Date of Council Approval: \_\_\_\_\_

This Contract, made and entered into this 19<sup>th</sup> day of March, 2009 by and between the City of Troy, a Michigan Municipal Corporation of the County of Oakland, Michigan, hereinafter referred to as "City" and 1401 Troy Associates Limited Partnership whose address is 29100 Northwestern Highway, Suite 200, Southfield, MI 48304 and whose telephone number is (248) 358-0800 hereinafter referred to as "Owners", provides as follows:

**FIRST:** That the City agrees to permit the installation of Water Main and Storm Sewer in accordance with plans prepared by Professional Engineering Associates, Inc. whose address is 2430 Rochester Court, Suite 100, Troy, MI 48083-1872 and whose telephone number is (248) 689-9090 and approved prior to construction by the City in accordance with City of Troy specifications.

**SECOND:** That the Owners agree to provide the following securities to the City prior to the start of construction, in accordance with the Detailed Summary of Required Deposits & Fees (attached hereto and incorporated herein):

Refundable escrow deposit equal to the estimated construction cost of \$20,107.00. This amount will be deposited with the City in the form of (check one):

Cash	<input type="checkbox"/>
Certificate of Deposit	<input type="checkbox"/>
Irrevocable Bank Letter of Credit	<input type="checkbox"/>
Check	<input checked="" type="checkbox"/>
Performance Bond & 10% of Cash	<input type="checkbox"/>

Refundable cash deposit in the amount of \$2,500.00. This amount will be deposited with the City in the form of (check one):

Cash	<input type="checkbox"/>	Check	<input checked="" type="checkbox"/>
------	--------------------------	-------	-------------------------------------

Non-refundable cash fees in the amount of \$10,886.00. This amount will be paid to the City in the form of (check one):

Cash	<input type="checkbox"/>	Check	<input checked="" type="checkbox"/>
------	--------------------------	-------	-------------------------------------

Said refundable escrow deposits shall be disbursed to the Owners after approval by the City. The City reserves the right to retain a minimum of ten (10) percent for each escrowed item until the entire site/development has received final inspection and final approval by all City departments. Refundable cash deposits shall be held until final approval has been issued. Disbursements shall be made by the City within a reasonable time, after request for refund of deposits is made by the Owners.

## City Of Troy

### Contract for Installation of Municipal Improvements (Private Agreement)

**THIRD:** The owners shall contract for construction of said improvement with a qualified contractor. Owners, or their agents, and contractor(s) agree to arrange for a pre-construction meeting with the City Engineer prior to start of work. All municipal improvements must be completely staked in the field under the direct supervision of a registered civil engineer or registered land surveyor, in accordance with the approved plans. Revisions to approved plans required by unexpected or unknown conflicts in the field shall be made as directed by the City.

**FOURTH:** Owners agree that if, for any reason, the total cost of completion of such improvements shall exceed the sums detailed in Paragraph SECOND hereof, that Owners will immediately, upon notification by the City, remit such additional amounts in accordance with Paragraph SECOND hereof. In the event the total cost of completion shall be less than the sums as detailed in Paragraph SECOND hereof, City will refund to the Owners the excess funds remaining after disbursement of funds.

**FIFTH:** Owners agree to indemnify and save harmless City, their agents and employees, from and against all loss or expense (including costs and attorneys' fees) by reason of liability imposed by law upon the City, its agents and employees for damages because of bodily injury, including death, at any time resulting therefrom sustained by any person or persons or on account of damage to property, including work, provided such injury to persons or damage to property is due or claimed to be due to negligence of the Owner, his contractor, or subcontractors, employees or agents, Owner further agrees to obtain and convey to the City all necessary easements and/or right-of-way for such public utilities as required by the City Engineer.

**City Of Troy**

Contract for Installation of Municipal Improvements  
(Private Agreement)

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed in duplicate on this 19<sup>th</sup> day of March, 2009.

OWNERS

CITY OF TROY

By:

By:



Douglas M. Etkin  
Please Print or Type

Louise E. Schilling, Mayor

\_\_\_\_\_  
Please Print or Type

Tonni Bartholomew, City Clerk

STATE OF MICHIGAN, COUNTY OF OAKLAND

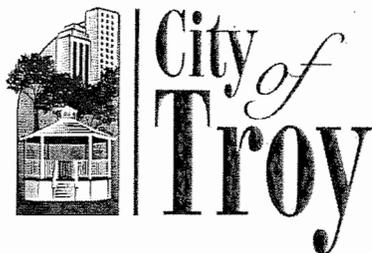
On this 19<sup>th</sup> day of MARCH, A.D. 2008, before me personally appeared DOUGLAS M. ETKIN known by me to be the same person(s) who executed this instrument and who acknowledged this to be his/her/their free act and deed.



NOTARY PUBLIC, Oakland County, Michigan

My commission expires: Nov-24-2011

HELEN NICHOLS  
Notary Public, State of Michigan  
County of Oakland  
My Commission Expires Nov. 24, 2011  
Acting in the County of OAKLAND



## CITY COUNCIL ACTION REPORT

March 23, 2009

TO: Phillip L. Nelson, City Manager

FROM: John M. Lamerato, Asst. City Manager/Finance & Administration  
 Brian P. Murphy, Asst. City Manager/Economic Development Services  
 Steven J. Vandette, City Engineer *SV*

SUBJECT: Agenda Item – AT&T Utility Relocation Costs  
 Rochester Road, Torpey to Barclay – Project No. 99.203.5  
 Wattles Road, 1,000' East and West of Rochester – Project No. 01.106.5

Background:

- The widening and reconstruction of Rochester Road, Torpey to Barclay to a six-lane boulevard and Wattles Road, 1,000' east and west of Rochester Road to a four-lane boulevard is anticipated to commence in early 2010.
- Numerous private utilities (AT&T, Consumers Energy, DTE, cable, etc.) will be required to relocate their facilities to facilitate the road construction project.
- AT&T has underground facilities (conduits and cables) that are required to be relocated.
- A portion of AT&T facilities are currently located within private easements acquired and owned by AT&T along Rochester Road and Wattles Road.
- When a private utility is required to relocate from a private easement to public right-of-way or public easements, the public agency is responsible to pay for the relocation costs.
- AT&T will be placing approximately 72,000 duct feet of conduit containing 64,000 sheath feet of cable along Rochester Road.
- 13,500 duct feet containing 6,000 sheath feet is within private easement areas along Rochester Road.
- AT&T will be placing approximately 6,900 duct feet of conduit containing 9,200 sheath feet of cable along Wattles Road.
- 3,000 duct feet containing 2,000 sheath feet is within private easement areas along Wattles Road.
- The estimated cost to relocate AT&T facilities from private easement areas is \$511,555.64.
- AT&T's total estimated cost for relocation for the entire project is approximately \$3,500,000.
- Final construction plans for AT&T relocation work have been reviewed and approved by the Engineering Department.

Financial Considerations:

- Private utility relocation costs are eligible for reimbursement with federal funds if the utility being relocated has a property interest in its present location.
- 80% of the cost is reimbursable with federal funds, estimated at \$409,244.
- The city's share is estimated at \$102,311.64.

- The city's actual cost will be based on the actual work completed by AT&T within private easement areas.
- Capital Funds are available in the 2008-09 budget with the remainder included in the proposed 2009-10 Major Road fund, account #401.447.479.7989.992035 and #401.447.479.7989.011065.

Legal Considerations:

- The AT&T costs have been reviewed by MDOT and the format and content of these costs are acceptable to MDOT for purposes of reimbursement with federal funds.

Policy Considerations:

- Troy adds value to properties through maintenance or upgrades of infrastructure and quality of life venues (Goal II).

Options:

- Staff recommends that City Council approve the relocation costs for AT&T facilities, within private easements, required in connection with the reconstruction of Rochester Road, from Torpey to Barclay and Wattles, 1,000' east and west of Rochester Road at an estimated amount of \$511,555.64.



January 6, 2009

City of Troy  
Attn: Bill Huotari  
500 West Big Beaver  
Troy, MI 48084

RE: CR# 123151  
UT# 6580611

Dear Bill Huotari:

Enclosed is the hard copy of the invoice for the "Legal Mandate" Project at this location per your Request:

Conduit relocation only on Rochester Road at Wattles in AT&T easement,  
Troy, MI.

Please forward the Sign Approval Letter to start construction. When Project is completed and final invoice has been presented, mail payment to the above address.

Invoice Amount: **\$ 223,402.42**

**Federal Tax ID#: 36-3258076**

Mail Payment to: AT&T CWO Center  
Attn: Carol Nigbor  
220 Wisconsin Avenue - Floor 2  
Waukesha, WI 53186

**OSPE: Jeff Heath @ 248 456-0820**

**Please Note:** assign the Customer Request Number 123151 on your correspondence for billing reference. If you have any questions, please contact me.

Respectfully,

Carol Nigbor  
AT&T Midwest-Manager  
CWO Center



Office: 888-901-2779  
Fax: 888-901-2821

March 19, 2009

City of Troy  
Attn: Bill Huotari  
500 West Big Beaver  
Troy, MI 48084

RE: CR# 123150  
PJT# 6632081  
RE:

Dear Bill:

Enclosed is the invoice for your "Legal Mandate" project.

Description: Relocate cable  
Location: Rochester Rd at Wattles AT&T easement, Troy, MI

Please forward the Signed Approval Letter to start construction. When the project is completed and the final invoice has been presented, please mail your payment to the address below.

Invoice Amount: **\$ 288153.22**  
Federal Tax ID#: **13-4924710**  
Mail Payment to: AT&T - CWO  
Attn: Carol Nigbor  
220 Wisconsin Avenue - Floor 2  
Waukesha, WI 53186

**OSPE: Jeff Heath - 248-456-0820**

**Please Note:** Assign the (CR#) 123150 on your correspondence for billing reference. If you have any questions, please contact me.

Thank you,

Customer Contracts Specialist  
Custom Work Order Center  
AT&T Midwest

Enclosure: Invoice (4408A)



# Highway Relocation Cost Estimate

Project Number :

AT&T MICHIGAN

Customer Request Number : 123150

Date : 03/14/2009

Customer ID : 109254

Project Number : 6632081

CR Description:

## Billing Information

Billing Party's Name : CITY OF TROY

Phone : (248) 524-3387

Billing Address : 500 WEST BIG BEAVER

TROY, MI 48084

Contact Name : BILL HUOTARI

Phone : (248) 524-3387

Work Description & Engineering Remarks : RELOCATE CABLE ON ROCHESTER ROAD AT WATTLES AT&T EASEMENT , TROY, MI

Expenses	Quantity	Amount
Total Plant Labor:	1,320	\$ 113,951.85
Total Engineering Labor:		\$ 14,714.86
Material Cost		\$ 102,502.11
Contractor Cost		\$ 56,984.40
Right Of Way Cost:		\$ 0.00
	<b>Sub-Total Estimated Costs</b>	<b>\$ 288,153.22</b>
Less Plant Betterment Credits		\$ 0.00
Less OSP Depreciation Credits		\$ 0.00
	<b>Total Estimated Costs</b>	<b>\$ 288,153.22</b>

OSPE Representative: CAROL NIGBOR

Title: Customer Contracts Specialist

Phone #: 262-970-8432

NAME

DATE

SIGNATURE

Note: Hours are rounded to the nearest whole hour value.

Proprietary Information. Solely for use of Requesting Agency  
Employees only who have a need to know. Not to be disclosed  
or used by any other person without prior authorization.



Project Number :

AT&T MICHIGAN

Customer Request Number : 123151

Date : 12/01/2008

Customer ID : 109254

Project Number : 6580611

CR Description:

Billing Information

Billing Party's Name : CITY OF TROY

Phone : (248) 524-3387

Billing Address : 500 WEST BIG BEAVER

TROY, MI 48064

Contact Name : BILL HUOTARI

Phone : (248) 524-3387

Work Description & Engineering Remarks : CONDUIT RELOCATION ONLY ON ROCHESTER ROAD AT WATTLES IN AT&T EASEMENT, TROY, MI. FED# 36-3258076. A SIGNED UTILITY AGREEMENT OR A LETTER OF APPROVAL IS REQUIRED TO PROCEED WITH THIS WORK.

Expenses	Quantity	Amount
Total Plant Labor:	35	\$ 3,020.50
Total Engineering Labor:		\$ 13,616.54
Material Cost		\$ 32,305.33
Contractor Cost		\$ 174,460.05
Right Of Way Cost:		\$ 0.00
	Sub-Total Estimated Costs	\$ 223,402.42
Less Plant Betterment Credits		\$ 0.00
Less OSP Depreciation Credits		\$ 0.00
	Total Estimated Costs	\$ 223,402.42

OSPE Representative: Carol Nigbor

Title: AT&T MANAGER

Phone #: 262-970-8432

NAME	DATE
SIGNATURE	

Note: Hours are rounded to the nearest whole hour value.

Proprietary information. Solely for use of Requesting Agency  
Employees only who have a need to know. Not to be disclosed  
or used by any other person without prior authorization.



## CITY COUNCIL ACTION ITEM

Date March 25, 2009

TO: Mayor and City Council

FROM: Phillip L. Nelson, City Manager  
Tonni L. Bartholomew, City Clerk

SUBJECT: Correction to City Council Minutes for Regular Meeting of June 5, 2006

### Background:

- A typographical error was recently brought to the attention of the City Clerk's office in the final and approved version of the City Council Minutes for the Regular Meeting of June 5, 2006. The correction has been made and requires the approval of City Council.

### Financial Consideration:

- There is no financial consideration associated with this item.

### Legal Consideration:

- There is no legal consideration associated with this item.

### Policy Consideration:

- There is no policy consideration associated with this item.

### Options:

- City Council can approve the proposed correction.

### Attachment:

- A corrected copy of the page from the approved and final version of the June 5, 2006 City Council meeting minutes illustrating the correction.

---

**D-1 Adoption of City Ordinance, Chapter 28 – Tree Ordinance and the Landscape Design & Tree Preservation Standards**

Resolution

Moved by Beltramini

Seconded by Schilling

RESOLVED, That Chapter 28 – Tree and Plant Ordinance, a copy of which shall be **INCLUDED** in the original Minutes of this meeting, is hereby **ADOPTED**.

**Vote on Resolution to Postpone Indefinitely**

Resolution #2006-06-234

Moved by Howrylak

Seconded by Lambert

RESOLVED, That Troy City Council hereby **POSTPONES INDEFINITELY** the proposed resolution, for the *Adoption of City Ordinance, Chapter 28 – Tree Ordinance and the Landscape Design & Tree Preservation Standards*, Moved by **Broomfield Beltramini** and Seconded by Schilling.

Yes: Howrylak, Lambert, Fleming

No: Schilling, Beltramini

Absent: Broomfield, Stine

**MOTION CARRIED**

**Vote on Resolution to Appoint a Special Task Force**

Resolution #2006-06-235

Moved by Lambert

Seconded by Fleming

RESOLVED, That Troy City Council hereby **REQUESTS** that a Special Task Force be appointed to review the proposed revisions to the Tree Ordinance and the Landscape Design & Tree Preservation Standards for the City of Troy.

Yes: Lambert, Fleming

No: Schilling, Beltramini, Howrylak

Absent: Broomfield, Stine

**MOTION FAILED**

**CONSENT AGENDA:**

---

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

Resolution #2006-06-236

Moved by Lambert

**PROPOSED RESOLUTION:**

Resolution to Correct Minutes for the Regular City Council Meeting of June 5, 2006

Suggested Resolution

Resolution #2009-03-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **APPROVES** the typographical correction made to agenda item D-1 *Adoption of City Ordinance, Chapter 28 – Tree Ordinance and the Landscape Design & Tree Preservation Standards-Resolution #2006-06-234* by **STRIKING** “Broomfield” and **INSERTING** “Beltramini” in the Regular City Council meeting minutes of June 5, 2006.

Yes:

No:



## CITY COUNCIL ACTION REPORT

March 24, 2009

TO: Phillip L. Nelson, City Manager

FROM: Gary G. Mayer, Acting Chief of Police  
William Nelson, Fire Chief

SUBJECT: Request to Temporarily Waive Parking Restrictions

### Background:

- Smith Middle School is requesting that the parking restrictions on Donaldson street from Square Lake Road to Cotswald Street be waived, so that they may host The Family Fun Friday school activity on May 15, 2009, between the hours of 5:30 p.m. and 9:30 p.m.
- Both sides of Donaldson are posted no parking areas and parking at Smith Middle School is limited.
- The waiving of the restrictions would allow attendees to park on Donaldson but would not significantly impact emergency vehicle traffic.
- Smith Middle School makes such requests and is granted a variance regularly; no problems have ever been reported.

### Financial Considerations:

- N/A

### Legal Considerations:

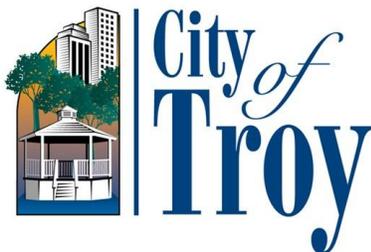
- City Ordinance prohibits parking on Donaldson; therefore, City Council action is required to grant a variance.

### Policy Considerations:

- Troy has enhanced the safety and health of the community.

### Options:

- Approve or deny the request.



## CITY COUNCIL ACTION ITEM

March 25, 2009

TO: Philip L. Nelson, City Manager

FROM: John M. Lamerato, Assistant City Manager/Finance & Administration  
Susan Leirstein, Purchasing Director  
James A. Nash, Financial Services Director  
Sandra Kasperek, City Treasurer

SUBJECT: Reconsideration of Resolution #2009-03-105-F-4d – Tax Bill Printing Services

### Background

- City Council approved Resolution #2009-03-105-F-4d – Tax Bill Printing Services at their Regular City Council meeting held on Monday, March 23, 2009.
- An omission in the resolution was discovered subsequent to the approval - Postage will be paid for by the City via escrow account. In addition, overruns are limited to 5%.

### Financial Consideration

- Funds for postage are available in the operating budget of the Treasurer's Office, Account #101.191.253.7730

### Legal Consideration

- There are no additional legal considerations associated with this item.

### Policy Consideration

- There are no additional policy considerations associated with this item.

### Options

- City management recommends the use of an escrow account to manage the postal charges associated with the mailing of the City's tax bills.

### Attachment

- There are no attachments associated with this item.

**E- Proposed Reconsideration of Consent Agenda Resolution #2009-03-105-F-4d - Standard Purchasing Resolution 2: Bid Award - Lowest Bidder Meeting Specifications – Tax Bill Printing Services**

RESOLVED, That Troy City Council hereby **RECONSIDERS** Resolution #2009-03-105-F-4d, Moved by Beltramini and Seconded by Eisenbacher as it appears below:

*RESOLVED, That Troy City Council hereby AWARDS a contract to provide printing services for the 2009 Summer and Winter Tax Bills with options to renew for two (2) additional one-year tax periods to the lowest acceptable bidder, DivDat, of Ferndale, MI, at prices contained in the bid tabulation opened February 25, 2009, a copy of which shall be ATTACHED to the original Minutes of this meeting, with a contract expiration of December 31, 2009.*

Yes: Fleming, Kerwin, Schilling, Beltramini, Broomfield, Eisenbacher  
No: None  
Absent: Howrylak

*MOTION CARRIED*

Yes:  
No:

**Proposed Resolution to Amend Reconsidered Resolution #2009-03-105-F-4d Standard Purchasing Resolution 2: Bid Award – Lowest Bidder Meeting Specifications – Tax Bill Printing Services**

Suggested Resolution  
Resolution #2009-03-  
Moved by  
Seconded by

RESOLVED, That Troy City Council hereby **AMENDS** Resolution #2009-03-105-F-4d, *Standard Purchasing Resolution 2: Bid Award – Lowest Bidder Meeting Specifications – Tax Bill Printing Services* by **INSERTING** “plus the actual cost for first class postage and overruns not to exceed 5%,” **AFTER** “meeting”.

Yes:  
No:

**Proposed Resolution for Reconsidered Resolution #2009-03-105-F-4d Standard Purchasing Resolution 2: Bid Award – Lowest Bidder Meeting Specifications – Tax Bill Printing Services as Amended**

Resolution #2009-01-105-F-4d  
Moved by Beltramini  
Seconded by Eisenbacher

RESOLVED, That Troy City Council hereby **AWARDS** a contract to provide printing services for the 2009 Summer and Winter Tax Bills with options to renew for two (2) additional one-year tax periods to the lowest acceptable bidder, DivDat, of Ferndale, MI, at prices contained in the bid tabulation opened February 25, 2009, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, plus the actual cost for first class postage and overruns not to exceed 5%, with a contract expiration of December 31, 2009.

Yes:

No:

**TROY HISTORIC DISTRICT COMMISSION MINUTES – FINAL      JANUARY 20, 2009**

A Regular Meeting of the Troy Historic District Commission was not held Tuesday, January 20, 2009 at the Troy Museum because there was no quorum.

The next regular meeting will be held Tuesday, February 17, 2009 at 7:00 p.m. at the Troy Museum.

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Barbara Chambers  
Chairman

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Loraine Campbell  
Recording Secretary

A meeting of the Employees' Retirement System Board of Trustees was held on Wednesday, February 11, 2009, at Troy City Hall, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting was called to order at 12:15 p.m.

**Trustees Present:** Mark Calice  
Thomas J. Gordon, II  
John M. Lamerato  
William R. Need (Ex-Officio)  
Phillip L. Nelson  
Steve Pallotta  
Thomas Rosewarne

**Trustees Absent:** Martin F. Howrylak

**Minutes**

**Resolution # ER – 2009-2- 10**

Moved by Lamerato  
Seconded by Nelson

RESOLVED, That the Amended Minutes of the November 12, 2008 meeting be approved.

Yeas: All – 6  
Absent: Howrylak

**Minutes**

**Resolution # ER – 2009-2- 11**

Moved by Nelson  
Seconded by Lamerato

RESOLVED, That the Minutes of the January 14, 2009 meeting be approved.

Yeas: All – 6  
Absent: Howrylak

**Other Business – December 31, 2008 Investment Performance**

John Grant and Rebecca Sorensen, UBS reviewed our corporate bond holdings and December 31, 2008 Investment Performance.

**Other Business – Investment Policy Review**

The Board will review the investment policy at their March 11, 2009 meeting.

**Other Business – Retirement Request**

**Resolution # ER – 2009-2- 12**

Moved by Pallotta

Seconded by Gordon

RESOLVED, That the board approve the following retirement requests:

<b>Name</b>	Robert F. Cantlon	Charles T. Craft	Joseph H. VanSumer	JoAnn E. Irvin
<b>Pension Program</b>	DB	DB	DB	DB
<b>Retirement Date</b>	02/28/2009	02/28/2009	3/1/2009	02/28/2009
<b>Department</b>	Police	Police	Building Inspection	Police
<b>Service Time</b>	23 years, 11 months	29 years, 2 months	14 years, 1 month	29 years, 5 months
<b>Name</b>	Donald R. Mouch	Micheal Johnson	Ronald Figlan	Ralph M. Blitchok
<b>Pension Program</b>	DB	DB	DC	DB
<b>Retirement Date</b>	02/28/2009	02/12/2009	02/28/2009	02/28/2009
<b>Department</b>	Fire	Water	Planning	Motor Pool
<b>Service Time</b>	29 years, 9 months	28 years, 1 month	41 years, 4 months	37 years, 3 months
<b>Name</b>	David R. Nordstrom	Jacqueline Andrews		
<b>Pension Program</b>	DC	DB		
<b>Retirement Date</b>	02/27/2009	02/28/2009		
<b>Department</b>	Police	Building Inspection		
<b>Service Time</b>	34 years, 3 months	17 years, 5 months		

Yeas: All – 6

Absent: Howrylak

**Investments**

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**Resolution # ER – 2009-2- 13**

Moved by Nelson

Seconded by Rosewarne

RESOLVED, That the board buy and sell the following investments:

**Sell:** Target  
20 calls Franklin April 55  
50 puts Apple April 90  
50 puts General Dynamics May 45  
50 puts United Technology May 45

**Buy:** 1,000,000 Eaton Vance National Municipal Fund  
3,800 shares Honeywell International  
5,000 shares Petmed Express  
6,000 shares Transocean  
6,840 shares Chevron

Yeas: All – 6

Absent: Howrylak

**Public Comment**

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None.

The next meeting is March 11, 2009 at 12:00 p.m. at Troy City Hall, Conference Room C, 500 W. Big Beaver Road, Troy, MI 48084.

The meeting adjourned at 2:15 p.m.

\_\_\_\_\_  
Mark Calice, Chairman

\_\_\_\_\_  
John M. Lamerato, Secretary

The Chairman, Matthew Kovacs, called the meeting of the Board of Zoning Appeals to order at 7:31 P.M. on Tuesday, February 17, 2009 in Council Chambers of the Troy City Hall.

PRESENT: Michael Bartnik  
Kenneth Courtney  
Ed Kempen  
Matthew Kovacs  
Lon Ullmann

ALSO PRESENT: Mark Stimac, Director of Building & Zoning  
Allan Motzny, Assistant City Attorney  
Pamela Pasternak, Recording Secretary

ABSENT: Glenn Clark  
David Lambert

Motion by Courtney  
Supported by Kempen

MOVED, to excuse Mr. Clark and Mr. Lambert from this meeting as they are out of the county.

Yeas: 5 – Courtney, Kempen, Kovacs, Ullmann, Bartnik  
Absent: 2 – Clark, Lambert

MOTION TO EXCUSE MR. CLARK AND MR. LAMBERT CARRIED

**ITEM #1 – APPROVAL OF MINUTES – DECEMBER 16, 2008**

Mr. Kempen said that on page 7 the Section number in the second paragraph under Item #6 should be listed as 40.56.02 rather than 40.45.02.

Motion by Courtney  
Supported by Bartnik

MOVED, to approve the minutes of the meeting of December 16, 2008 as amended.

Yeas: 4 – Kempen, Kovacs, Bartnik, Courtney  
Abstain: 1 - Ullman  
Absent: 2 -Clark, Lambert

MOTION TO APPROVE MINUTES AS AMENDED CARRIED

Mr. Kovacs informed the Board that he is employed by Siemens Automotive, which is Item #4 and thought that he should excuse himself from voting on this item.

Mr. Motzny agreed that it may be appropriate for Mr. Kovacs to be excused so there is no appearance of conflict of interest. Mr. Motzny suggested that Item #4 be removed and considered separately.

**ITEM #2 - APPROVAL OF ITEM #3 THROUGH ITEM #7**

Motion by Courtney  
Supported by Kempen

**RESOLVED**, that Item #3, #5, #6 and Item #7 are hereby approved in accordance with the suggested resolutions printed in the Agenda Explanation.

Mr. Courtney also moved that Item #3 be set up as a Public Hearing when this renewal expires in order that the Board may consider making this a permanent variance.

Yeas: 5 – Ullman, Bartnik, Courtney, Kempen, Kovacs  
Absent: 2 - Clark, Lambert

**ITEM #3 – RENEWAL REQUESTED. KOREAN UNITED METHODIST CHURCH, 42693 DEQUINDRE**, for relief to maintain a landscaped berm in lieu of the 4'-6" high masonry screening wall required along the south side of off-street parking.

MOVED, to grant the Korean United Methodist Church, 42693 Dequindre, a three (3) year renewal of relief to maintain a landscaped berm in lieu of the 4'-6" high masonry screening wall required along the south side of off-street parking.

- Conditions remain the same.
- There are no complaints or objections on file.
- A Public Hearing will be held in 2012 in order for the Board to consider making this a permanent variance.

**ITEM #5– RENEWAL REQUESTED. DANIEL LESKE, DDS, 5895 JOHN R.**, for renewal of relief of the 4'-6" high masonry wall required along the south property line and the 6' high masonry screening wall required along the west property line where the site abuts residential property.

MOVED, to grant Daniel Leske, DDS, 5895 John R., a three (3) year renewal of relief of the 4'-6" high masonry wall required along the south property line and the 6' high masonry screening wall required along the west property line where the site abuts residential property.

- Conditions remain the same.
- There are no complaints or objections on file.

**ITEM #6 – RENEWAL REQUESTED. FRANCO MANCINI, 6693 ROCHESTER,** for renewal of relief granted to construct a new one-story office building adjacent to Residential Zoned property without a screen wall as required by Section 39.10.01.

MOVED, to grant Franco Mancini, 6693 Rochester, a one-year renewal of relief to construct a new one-story office building adjacent to Residential Zoned property without a screen wall as required by Section 39.10.01.

- One-year time frame will give the Board the opportunity to determine if a screen wall would be more effective.
- One-year time frame will give the Board the opportunity to see the final construction of the building.
- One-year time frame will give residents in the area the chance to determine if the natural vegetation will provide enough screening.

**ITEM #7 – RENEWAL REQUESTED. TROY AMERICAN HOUSE, 2300 GRAND HAVEN,** for renewal of relief of the 4'-6" high masonry wall required along the north and east side of the off-street parking area where it is adjacent to residentially zoned land.

MOVED, to grant Troy American House, 2300 Grand Haven, a three-year renewal of relief of the 4'-6" high masonry wall required along the north and east side of the off-street parking area where it is adjacent to residentially zoned land.

- Conditions remain the same.
- There are no complaints or objections on file.

Motion by Courtney  
Supported by Ullman

MOVED, to excuse Mr. Kovacs from voting on Item #4 as there may be the appearance of a conflict of interest due to the fact that Mr. Kovacs is employed by the petitioner.

Yeas: 5 – Kovacs, Ullman, Bartnik, Courtney, Kempen  
Absent: 2 – Clark, Lambert

**MOTION TO EXCUSE MR. KOVACS CARRIED**

Mr. Kovacs left the podium.

Motion by Bartnik  
Supported by Kempen

MOVED, to have Mr. Courtney act as Chairman for the presentation of Item #4.

Yeas: 4 – Ullmann, Bartnik, Courtney, Kempen  
Absent: 2 – Clark, Lambert

Excused: 1 – Kovacs

**ITEM #4 – RENEWAL REQUESTED. SIEMENS AUTOMOTIVE, 4685 INVESTMENT DRIVE**, for relief to maintain a landscaped berm along the west and south sides of the site where a 6' high decorative masonry screen wall is required.

MOVED, to grant Siemens Automotive, 4685 Investment Drive, a three (3) year renewal of relief to maintain a 5' high landscaped berm along the west and south sides of the site where a 6' high decorative masonry screen wall is required.

- Conditions remain the same.
- There are no complaints or objections on file.

Yeas: 4 – Ullman, Bartnik, Courtney, Kempen

Absent: 2 – Clark, Lambert

Excused: 1 – Kovacs

MOTION TO GRANT SIEMENS AUTOMOTIVE A THREE-YEAR (3) RENEWAL  
CARRIED

Chairman Kovacs returned to the podium.

**ITEM #8 – APPROVAL REQUESTED. HARRY MAZEI, 39 HICKORY**, for approval under Section 43.74.01 of the Troy Zoning Ordinance to store a commercial vehicle outside on residential property.

Mr. Stimac explained that the petitioner is requesting approval under Section 43.74.01 of the Troy Zoning Ordinance to store a commercial vehicle outside on residential property. The Ford dump truck described in the application does not meet the exceptions found in Section 40.66.00 of Chapter 39 of the Troy City Ordinance.

Mr. Bartnik asked if the petitioner had submitted any documentation in support of Item A or Item B of the criteria on the application.

Mr. Stimac stated that no other documentation had been submitted by the petitioner beyond what was included in the application.

Mr. Harry Mazei was present and stated that altering the existing garage is out of the question and believes that the location where the truck is parked is far enough back on the property that it does not negatively affect any of the surrounding property.

Mr. Bartnik informed the petitioner that when someone applies for approval of a Commercial vehicle they need to supply evidence that supports the fact that they have no other place to store this vehicle or that there is no possible way that an additional structure could be constructed. Mr. Bartnik said that he feels the petitioner meets the criteria in Item C and asked what efforts had been made to store this vehicle off-site.

**ITEM #8 – con't.**

Mr. Mazei said that he had approached the owner of the property adjacent to his and asked if he could park his truck at that location, but the owner stated that he could not. Mr. Mazei further indicated that he did not go out and look at other places to store this vehicle and feels it is just common sense to know that this would not be a good time to construct another garage. If Mr. Mazei has to store the vehicle off-site there will be a number of financial concerns involved.

Mr. Kovacs asked when Mr. Mazei had purchased this truck.

Mr. Mazei said that originally he had lived in more of an industrial area and the parking of the truck was not a problem. Mr. Mazei said that he has owned this vehicle approximately 10 years but has only lived at this property for the last two years. One of the reasons he purchased this property was because it was a larger lot and he wanted to be able to keep the truck on his property.

Mr. Kovacs asked if Mr. Mazei had ever gone before City Council for approval to store this vehicle and Mr. Mazei stated that this is the first time he has asked for permission to store this vehicle on his property.

Mr. Kovacs asked if Mr. Mazei was aware of the rules in the City governing commercial vehicles.

Mr. Mazei said that a friend of his had said something to him once. If this request is not approved Mr. Mazei said that he will look into something else regarding the storage of this vehicle. Mr. Mazei said that he does not look into these types of things and feels that if he is doing something wrong, someone will let him know.

Mr. Kovacs asked why Mr. Mazei was in front of this Board as he did not make any effort to try and meet the criteria in Item A or Item B.

Mr. Mazei said that he knows what his budget is and he cannot afford to change his garage or add another garage so he did not feel it was necessary to bring in any documentation. The garage is too small to put a taller garage door on it. Mr. Mazei said that most people know what's going on and the economy is not good and he feels that it is just "common sense" to know what people can afford.

Mr. Kovacs said that it was up to the petitioner to prove his case and show the Board the necessity of this approval. Mr. Kovacs also asked what Mr. Mazei will do if this approval is denied.

Mr. Mazei said that he will figure something out. If he has to move it, he will. Mr. Mazei said that he knows the cost of construction and believes it is common sense to not expect someone to build a garage. Mr. Mazei said that he did not feel he should have to get a bid for a garage. He knows the cost of construction and cannot afford it.

**ITEM #8 – con't.**

Mr. Kovacs said that in order to grant this approval the Board needs a good reason and feels that the criteria and instructions contained in the application are quite clear.

Mr. Courtney stated that he can understand why Mr. Mazei wants the vehicle close to his home in the winter because of the snow plow but asked why he would need the vehicle there during the summer.

Mr. Mazei said that he uses the truck in the summer for his landscaping business and uses it to haul materials.

Mr. Courtney said that he likes where the truck is parked, but does not think it needs to be there during the summer.

The Chairman opened the Public Hearing.

Mr. Edward Berry, 57 Hickory, was present. He does not feel this is a high class area and does not think this truck is detrimental to the area. No one complains about the truck and he feels Mr. Mazei should be allowed to park it in this location. During the summer months it just looks like a regular truck. Mr. Berry said that it is hard to make a living now, and thinks it would be difficult to ask Mr. Mazei to pay to store this vehicle.

No one else wished to be heard and the Public Hearing was closed.

There are three (3) written approvals on file. There are no written objections on file.

Mr. Kovacs said that he would like to see this request postponed to allow Mr. Mazei the opportunity to make a better case and provide more information to the Board regarding this request.

Mr. Courtney stated that he thought Mr. Mazei could check into locations in the area to see if he could find a space for this vehicle.

Mr. Stimac informed the Board that the only locations allowed to store commercial or recreational vehicles are in the Industrial Zoning District, which would most likely be located south of Maple.

Mr. Bartnik stated that this area has homes that are well maintained and does not believe there are any slum locations in Troy.

Motion by Courtney  
Supported by Ullman

**ITEM #8 – con't.**

MOVED, to postpone the request of Harry Mazei, 39 Hickory, for approval under Section 43.74.01 of the Troy Zoning Ordinance to store a commercial vehicle outside on residential property.

- To allow the petitioner the opportunity to provide evidence to the Board that this request meets the criteria in Item A or Item B.

Yeas: 5 – Bartnik, Courtney, Kempen, Kovacs, Ullman

Absent: 2 – Clark, Lambert

MOTION TO POSTPONE THIS REQUEST UNTIL THE MEETING OF MARCH 17, 2009 CARRIED

**ITEM #9 – APPROVAL REQUESTED. ANDREW AN, 2019 LANCER**, for approval under Section 43.74.01 of the Troy Zoning Ordinance to store a commercial vehicle outside on residential property.

Mr. Stimac explained that the petitioner is requesting approval under Section 43.74.01 of the Troy Zoning Ordinance to store a commercial vehicle outside on residential property. The 1989 Chevy Stake truck described in the application does not meet the exceptions found in Section 40.66.00 of Chapter 39 of the Troy City Ordinance.

Mr. Bartnik asked a question regarding the zoning of the property to the south of this location and on the east side of Coolidge.

Mr. Stimac stated that the property to the south as well as the property on the east side of Coolidge are zoned R-1B, single-family residential.

Mr. An said that he cannot build another garage on this site and there are no neighbors on two sides of the site. Mr. An would like to be able to keep this truck on the site as he does not believe anyone in the immediate area would be affected.

Mr. Kovacs asked how long this truck has been parked at this location.

Mr. An stated that he had a business in Troy for 40 years and recently sold it and now uses his home as an office. This truck has been in this location since October 2008.

Mr. Kovacs asked if the petitioner had been trying to sell this vehicle.

Mr. An said that eventually he was going to sell the truck and thought the truck would probably be sold within a year.

Mr. Kovacs asked if Mr. An had looked into other places to store this vehicle.

**ITEM #9 – con't.**

Mr. An said that there are a lot of places in Troy to store this vehicle but he does not want to pay rent.

The Chairman opened the Public Hearing.

Mr. Donald Gutman, 2018 Lancer was present and stated that he lives directly across the street from the petitioner. Mr. Gutman stated that the truck cannot be seen by traffic traveling northbound on Coolidge although it is visible to traffic heading southbound. Mr. Gutman said this is a temporary situation and it does not bother him at all. They are the original owners of this property and he believes the truck should be allowed to stay in this location.

No one else wished to be heard and the Public Hearing was closed.

There are two (2) written approvals on file. There are three (3) written objections on file.

Mr. Courtney asked where Mr. An was advertising to sell this truck.

Mr. An said that he will probably put in the newspaper but it is not listed at this point.

Mr. Courtney said that he did not mind it sitting there for six (6) months while it was for sale, but would have a problem with a longer period of time.

Motion by Courtney

MOVED, to grant Andrew An, 2019 Lancer, approval under Section 43.74.01 of the Troy Zoning Ordinance to store a commercial vehicle outside on residential property for a period of six (6) months.

- To allow the petitioner the opportunity to sell the vehicle.

Motion dies due to lack of support.

Motion by Bartnik  
Supported by Courtney

MOVED, to grant Andrew An, 2019 Lancer approval under Section 43.74.01 of the Troy Zoning Ordinance to store a commercial vehicle outside on residential property for a period of three (3) months.

- Truck is visible to traffic along Coolidge as well as to neighbors along Coolidge.
- Area is zoned residential.
- If this truck is not sold, it can be moved to another location.

**ITEM #9 – con't.**

A discussion began regarding the fees involved with appearing before the Board for a renewal. Mr. Stimac explained that it would come back as a renewal and the cost would be considerably less than the original application.

Mr. Kovacs asked the petitioner if he thought he could come back in a month with more information to support his request.

Mr. An said that he wanted the Board to give him six (6) months.

Motion by Bartnik  
Supported by Ullman

MOVED, to postpone the request of Andrew An, 2019 Lancer for approval under Section 43.74.01 of the Troy Zoning Ordinance to store a commercial vehicle outside on residential property until the meeting of March 17, 2009.

- To allow the petitioner the opportunity to provide evidence to the Board that this request meets the criteria in Item A or Item B.

Mr. An asked what kind of information the Board wants.

Mr. Kovacs explained that the Board needs supporting evidence as to why Mr. An cannot meet the criteria in Item A or Item B.

Mr. An said that he cannot build another garage and the vehicle is not blocking anyone and he believes six (6) months would be enough time.

A discussion began with Mr. An and the Board members regarding the construction of a garage and what Mr. An feels the City should allow him to do.

Mr. Kovacs stated that there are objections to the parking of this vehicle on this property.

Mr. Bartnik said that he does not believe the petitioner would put up a garage, but would like to see the petitioner provide information as to the cost of storing the vehicle at another location.

Mr. Stimac said that officially the petitioner is required to show compliance with the criteria in Item C and either Item A or Item B. It is up to the petitioner to choose which criteria he can meet. Mr. Stimac also stated that he could show where another garage could or could not be constructed. It is not up to the Board to decide which one the petitioner will comply with, it is up to the petitioner to determine which one he will comply with.

**ITEM #9 – con't.**

Mr. Courtney said that he feels the petitioner to spend his time on Item A since he has indicated that the vehicle will be for sale.

Vote on motion to postpone this request until the meeting of March 17, 2009.

Yeas: 5 – Courtney, Kempen, Kovacs, Ullmann, Bartnik  
Absent: 2 – Clark, Lambert

**MOTION TO POSTPONE THIS REQUEST UNTIL MARCH 17, 2009 CARRIED**

A general discussion began regarding allowances for the storage of commercial vehicles on industrial property. Mr. Stimac explained that there are exceptional cases for the application of criteria A, especially when someone needs their truck on a 24-hour on-call basis. Financial issues alone regarding Item A should not be considered when making a decision.

Mr. Bartnik stated that in his opinion if you are running a business you should be able to find a place to store this type of vehicle.

Mr. Stimac indicated that 2477 W. Maple has just opened for the storage of recreational and commercial vehicles.

The Board of Zoning Appeals meeting adjourned at 8:35 P.M.

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Matthew Kovacs, Chairman

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Pamela Pasternak, Recording Secretary

**TROY HISTORIC DISTRICT COMMISSION MINUTES – FINAL      February 17, 2009**

A regular meeting of the Troy Historic District Commission was held Tuesday, February 17, 2009 at the Troy Museum. Barbara Chambers called the meeting to order at 7:00 P.M.

<b>ROLL CALL</b>	<b>PRESENT</b>	Barbara Chambers Anne Partlan Kent Voigt Gary Castile Paul Lin Loraine Campbell, Museum Manager
	<b>ABSENT</b>	Sabah Jihad Muriel Rounds

**Resolution #HDC-2009-02-001**  
**Moved by Chambers**  
**Seconded by Partlan**

**RESOLVED, That the absences of Jihad and Rounds be approved.**

Yes:            5— Chambers, Partlan, Voigt, Castile and Lin  
 No:             0

**MOTION CARRIED**

**Resolution #HDC-2009-02-002**  
**Moved by Chambers**  
**Seconded by Voigt**

**RESOLVED, That the minutes of the September 29, 2008 meeting be approved.**

Yes:            5— Chambers, Partlan, Voigt, Castile and Lin  
 No:             0

**MOTION CARRIED****NEW BUSINESS****A. 5875 Livernois**

The Commission reviewed the preliminary report of the Historic District Study Committee and concurred with the recommendation to delist this resource.

**B. Old Stone School**

The Commission was advised that the City of Troy received this historic resource through a gift agreement with the estate of Greta DiGoia. A preservation plan will be prepared by historic preservation architects.

**C. Commission Comments**

Paul Lin commented that he is concerned that the City's new Master Plan which was approved by the Planning Commission in October 2008, includes no reference to Troy's historic resources or to historic preservation. In an era of increased interest in cultural preservation and sustainability, these issues should be represented.

The regular Troy Historic District Commission meeting was adjourned at 7:45 p.m. The next regular meeting will be held Tuesday, March 17, 2009 at 7:00 p.m. at The Troy Museum.

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Barbara Chambers  
Acting Chairperson

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Loraine Campbell  
Recording Secretary

A meeting of the Troy Charter Revision Committee was held March 5, 2009, at City Hall, 500 W. Big Beaver Road. Chairman Daniel Bliss called the Meeting to order at 3:14 PM.

**ROLL CALL:**

**PRESENT:** Lillian Barno, Maryann Bernardi, Daniel Bliss, Mark Solomon – 3:14 PM  
**ABSENT:** Jerry E. Bloom, Shirley Kanoza, Cynthia A. Wilsher  
**ALSO PRESENT:** City Attorney Lori Bluhm, City Clerk Tonni Bartholomew

**RESOLUTION TO EXCUSE MEMBER:**

Resolution #CR-2009-03-001  
Moved by Bliss  
Seconded by Bernardi

RESOLVED, That members Bloom, Kanoza, and Wilsher be **EXCUSED** from the meeting of March 5, 2009.

Yes: Barno, Bernardi, Bliss, Solomon  
No: None  
Absent: Bloom, Kanoza, Wilsher

**MOTION CARRIED****APPROVAL OF MINUTES: June 30, 2008**

Resolution #CR-2009-03-002  
Moved by Bernardi  
Seconded by Barno

RESOLVED, That the Charter Revision Committee Minutes of June 30, 2008 are hereby **APPROVED** as presented.

Yes: Barno, Bernardi, Bliss, Solomon  
No: None  
Absent: Bloom, Kanoza, Wilsher

**MOTION CARRIED****SUNSHINE LAW: Review by City Attorney Bluhm**

City Attorney Bluhm provided the members a resource booklet and presented a brief overview of the Sunshine Laws.

**PROPOSED CHARTER AMENDMENT: Section 6.2(g) – Vacancies in Elective Office**

Clerk Bartholomew briefly explained the Agenda packet materials.

Member Bernardi noted concern with requiring members of Council to resign their position in order to seek another City of Troy elected office. She questioned the potential of having individuals resigning and challenging an incumbent with the risk of ending up with no position on Council. She indicated concern with the potential of not having members of the public having their first run for office being that of Mayor and the possibility of creating elections for the position of the Mayor being uncontested elections.

Member Solomon questioned the impact of having no requirement to require a resignation prior to filing.

Member Bernardi indicated that there could be a vacancy should the individual be successful however if the candidate was not successful there would be no impact. She also noted that the current amendment was adopted back in 1994 and since 1955 there was never any problem that she could discover. She noted she contacted the City Attorney earlier in the day to inquire about the history of the amendment.

City Attorney Bluhm indicated that it appears that the amendment was proposed and adopted the same time as the amendment eliminating the primary and term limits.

Chair Bliss indicated concern with the absence of 3 Committee members for the discussion and input on the matter. He made a motion to postpone the motion.

**MOTION TO POSTPONE**

Resolution #CR-2009-03-003

Moved by Bliss

Seconded by Barno

RESOLVED, That the this item be **POSTPONED** until all members of the Charter Revision Committee be present for discussion.

Yes: Barno, Bernardi, Bliss,

No: Solomon

Absent: Bloom, Kanoza, Wilsher

**MOTION CARRIED**

Member Solomon voiced a parliamentary objection to the vote. He stated it was his belief that the Chair did not allow adequate time for him to consider the motion prior to asking for the question. He noted that he believes that it is ill-advised for a committee to operate on the premise that all members need to be present for action and questioned the intention of a quorum.

Member Bernardi noted that she would have voted differently had she be apprised of Member Solomon's concern prior to voting.

Member Bernardi made a motion to reconsider the motion and indicated that the vote was too rapid. She appreciated the comments of the Chair, but respects Member Solomon's comments and believed that the vote was too quick and that he should have had an opportunity to voice his concerns prior to the vote.

There was no second to the vote and discussion ended abruptly when Member Barno indicated she quit and left the meeting.

**ADJOURNMENT**

Meeting **ADJOURNED** at 4:19 PM due to a lack of quorum.

Clerk Bartholomew requested that members submit any other potential amendments to the Clerk for inclusion in the next meeting Agenda.

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Daniel Bliss, Chair

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Tonni L. Bartholomew, City Clerk

**TROY HISTORIC DISTRICT COMMISSION MINUTES – DRAFT****March 17, 2009**

A regular meeting of the Troy Historic District Commission was held Tues., March 17, 2009 at the Troy Museum. Barbara Chambers called the meeting to order at 7:03 p.m.

<b>ROLL CALL</b>	<b>PRESENT</b>	Barbara Chambers Anne Partlan Kent Voigt Gary Castile Paul Lin Muriel Rounds Loraine Campbell, Museum Manager
	<b>ABSENT</b>	Sabah Jihad

**Resolution #HDC-2009-03-001****Moved by Voigt****Seconded by Partlan****RESOLVED, That the absence of Jihad be approved.**

Yes: 6— Chambers, Partlan, Voigt, Castile, Lin and Rounds

No: 0

**MOTION CARRIED****Resolution #HDC-2009-03-002****Moved by Chambers****Seconded by Voigt****RESOLVED, That the minutes of the February 17, 2009 meeting be approved.**

Yes: 6— Chambers, Partlan, Voigt, Castile, Lin and Rounds

No: 0

**MOTION CARRIED****NEW BUSINESS****A. 3645 Crooks**

The commission reviewed specifications from the City's Building Operations Department to reroof the historic resource at 3645 Crooks Road. The Commission noted fire damage in the attic that may require replacement of some of the original structural members and reviewed the shingle samples from the Landmark Series manufactured by CertainTeed Corp.

**Resolution #HDC-2009-03-003**  
**Moved by Castile**  
**Seconded by Lin**

**RESOLVED, That the specifications to replace the roof and related elements on the historic resource at 3645 Crooks Rd. (88-20-20-226-038) be approved as submitted. The commission supports the use of Cobblestone Gray shingles from the Landmark Series manufactured by CertainTeed Corp. The Commission also suggests that the City investigate EcoStar® roofing products as a sustainable, environmentally friendly alternative roofing material that provides a historic slate character and that the city use these products if applicable in our climate and if cost effective.**

Yes: 6— Chambers, Partlan, Voigt, Castile, Lin and Rounds  
No: 0

**B. Old Stone School**

Roofs at this resource have been tarped pending repairs.

**C. Commission Comments**

A statement to City Council by Paul Lin was reviewed by the commission.

**Resolution #HDC-2009-03-004**  
**Moved by Chambers**  
**Seconded by Lin**

**RESOLVED, That the statement regarding the City of Troy Master Plan be included with the minutes as an attachment and recommendation to City Council and the Planning Commission.**

Yes: 6— Chambers, Partlan, Voigt, Castile, Lin and Rounds  
No: 0

**D. City Attorney Presentation April 21, 2009**

The City Attorney wishes to make a presentation on updates to the “Sunshine Laws” at the next Historic District Commission meeting.

The regular Troy Historic District Commission meeting was adjourned at 8:25 p.m. The next regular meeting will be held Tues, April 21, 2009 at 7:00 p.m. at the Troy Museum.

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Barbara Chambers  
Acting Chairperson

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Loraine Campbell  
Recording Secretary

To: Troy City Council  
Troy Planning Commission  
From: Historic District Commission  
Re.: City of Troy Master Plan  
Date: March 17, 2009

The Troy Historic District Commission recommends that the City of Troy Master Plan be sufficiently detailed to include designated historic resources and additional historical places. By doing so, the following will be accomplished:

- Encourage new development to compliment historic context. The input of the Historic District Commission can help guide new development.
- Clarify a positive image for the city instead of perpetuating bland, sprawling, landscapes devoid of any community traditions.
- Identify historic resources that create magnets for mixed use developments that encourage pedestrian rather than automobile-based designs. This is particularly critical as we find our past behaviors based on consumption and solo transit increasingly impractical.
- The Historic District Commission recommends that the Troy City Council and Planning Commission review how designated historic resources, historical landmarks, and zones encourage continued prosperity in cities like Troy and towns throughout American. It is critical that the specific inclusion of these areas in the Master Plan not be neglected.

CITY OF TROY  
TRAVEL EXPENSE REPORT

Name: Mary Kerwin Position: Council Member

Other Employees Included in Request: None

Trip Destination: Lansing, MI Date From: 3/3/2009 To: 3/4/2009

Purpose of Trip: Michigan Municipal League's 2009 Capital Conference

Items	Sun	Mon	Tues 3-Mar	Wed 4-Mar	Thurs	Fri	Sat	TOTAL
<b>Miles</b> (Personal Car)								
Enter Current Mileage Rate: \$ 0.55 /mile								
<b>City Car Expense</b> (Details on Bottom)								
<b>Air/Bus/Train</b>								
<b>Registration</b>			195.00					\$195.00
<b>Room</b> (Attach all Receipts)			138.03					\$138.03
<b>Meals</b> (Include tips and taxes. Note meals included with registration)								
Breakfast:								
Lunch:								
Dinner:			16.33					\$16.33
<b>Other</b> Detail, Explain Below								
<b>Additional Other</b> Detail, Explain Below								
<b>TOTAL EXPENSE</b>			349.36					\$349.36

Details of City Car Expense

Total Mileage	
Gasoline/Oil Purchased (Attach Receipts)	
Maintenance Work (Attach Receipts)	
Parking/Storage	
Other ( )	
Total	

Cash Advanced and Prepaid Expenses	
P-Card Purchases	\$333.03
Balance Due Employee	\$16.33
(or) Balance Due City	

Mary Redden Requested By Date 3/18/09

\_\_\_\_\_  
Department Head Date \_\_\_\_\_

\_\_\_\_\_  
Approved - Human Resources Director Date \_\_\_\_\_

Janne Nash Approved - Financial Services Director Date 3/18/09

Notes and Explanations:

Charge to: Education & Training

Account # 1027960

J-2a

CITY OF TROY  
TRAVEL EXPENSE REPORT

Name: Robin Beltramini Position: Council member

Other Employees Included in Request: Mary Kerwin

Trip Destination: Lansing, MI Date From: March 3, 2009 To: March 4, 2009

Purpose of Trip: Michigan Municipal League Capital Conference

Items	Dates:	Sun	Mon	Tues	Wed	Thurs	Fri	Sat	TOTAL
<b>Miles</b> (Personal Car)				91	91				
Enter Current Mileage Rate: \$ <u>0.50</u> /mile	<u>0.55</u>			<u>50.05</u>	<u>50.05</u>				\$ <u>100.10</u>
<b>City Car Expense</b> (Details on Bottom)									
<b>Air/Bus/Train</b>									
<b>Registration</b>				<u>125.00</u>					<u>125.00</u>
<b>Room</b> (Attach all Receipts)									
<b>Meals</b> (Include tips and taxes. Note meals included with registration)									
Breakfast:									
Lunch:									
Dinner:									
<b>Other parking</b> Detail, Explain Below					<u>17.00</u>				<u>17.00</u>
<b>Additional Other</b> Detail, Explain Below									
<b>TOTAL EXPENSE</b>				<u>175.05</u>	<u>67.05</u>				\$ <u>242.10</u>

Details of City Car Expense

Total Mileage	
Gasoline/Oil Purchased (Attach Receipts)	
Maintenance Work (Attach Receipts)	
Parking/Storage	
Other ( )	
Total	

Cash Advanced and Prepaid Expenses	
P-Card Purchases	<u>125.00</u>
Balance Due Employee	\$ <u>117.10</u>
(or) Balance Due City	

Robin E. Beltramini 03/11/09  
Requested By Date

[Signature] \_\_\_\_\_  
Department Head Date

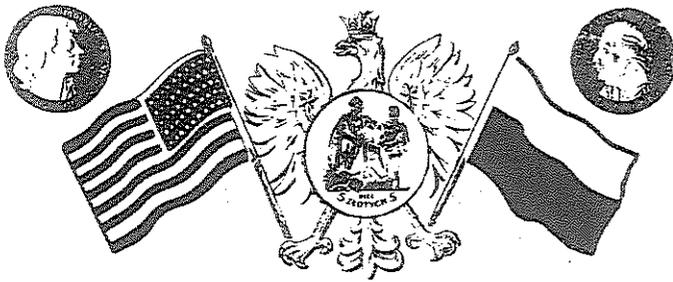
Approved - Human Resources Director \_\_\_\_\_  
Date

Approved - Financial Services Director 3/18/09  
Date

Notes and Explanations:

Charge to: Education & Training

Account # 1087960110



*Polish American Numismatic Society* **J-03a**

Established in 1981

P. O. Box 80515  
Rochester, MI 48308-0515

*Collectors of Coins, Medals, Currency  
and Historical Items of Poland*

MEMBER: A.N.A. - M.S.N.S. - O.N.A.

March 9, 2009

Troy Police Department  
500 W. Big Beaver Road  
Troy, MI 48084

Dear Troy Police Department:

The purpose of this letter is to publicly acknowledge and thank the Troy Police Department for its enhanced coverage of the Polish American Numismatic Society's annual coin show which was held this past February 15<sup>th</sup> at the Polish American Cultural Center.

As you are well aware, the poor state of the local economy and elevated prices for precious metals have combined to make a venue such as ours a potential target for criminal activity. Our membership believes that the parking lot patrols and floor presence of your officers contributed to making this past show "incident free."

Please accept these paczki's as an expression of our gratitude,

Joseph A. Beaupied  
Secretary  
Polish American Numismatic Society

*City Manager*  
*B. B.*