Mary F Redden

From: Mary F Redden
Sent: Monday, May 18, 2009 3:36 PM
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Cc: John Szerlag; John M Lamerato; Brian P Murphy; Lori G Bluhm; Nino A Licari
Subject: Council Questions on the May 18, 2009 City Council Agenda

Good afternoon. Council Member Beltramini had a few questions on tonight's agenda. Her questions, and staff's responses, follow:

E-4 Request for Authorization to Make Unconditioned Offer to Purchase Easement for Rochester Road Improvements, Torpey to Barclay and Wattles Road Improvements, Bristol to Worthington; and Request for Authorization to Institute Court Action for Safeway Acquisition Company, LLC; Safeway Oil Company, Inc.; DHW, Inc.; and Alsaham, Inc., DBA Fred's Auto Service Center

In purchasing this ROW are we accepting the Brownfield liability for the site? Getting any consideration for that in the purchase price/agreement?

Lori Bluhm indicates that, based on our past discussions with the attorney representing the property owner, we will need to initiate a condemnation case to acquire this property. We always reserve the right to seek payment for any necessary environmental clean- up in the condemnation case- especially since it's a gas station.

F-6 Application to Transfer SDD License Only to Wal-Mart Stores East, Limited Partnership

Before expanding Wal-Mart's ability to handle and sell alcohol products, I want to know if we have received evidence that their entire staff has been TIPS/TAMS trained as requested, and promised, at their liquor violation hearing. Also, the manager was planning to implement a "self-shopper" program to investigate for potential violations. Has that been implemented or, at least, designed?

According to Police Dept. staff, Troy Wal-Mart store manager Nicole Chase was trained to be a TIPS trainer on 3/25/09. As of 5/18/09, she has submitted 38 employee names who were TIPS trained by her on 4/14/09, 4/16/09, and 4/17/09.

Officer James Feld spoke with Nicole Chase today and she states she has another 40 – 50 employees who she has trained and will FAX to us a copy of their names and dates they were trained. She states she is comfortable with being able to train the rest of the employees who will handle liquor sales before the 6/21/09 90 day deadline.

Nicole Chase states the "self-shopper" program is still being designed.

Wal-Mart did pass the latest round of decoy operations conducted by the Directed Patrol Unit on 5/7/09.

F-7 Request for Recognition as a Nonprofit Organization Status – Mark Wolodkowicz, President and Program Director for Free Desire, Inc.

Is there a problem with the inconsistency of the address on the application and the address of the organization?

City Clerk Tonni Bartholomew has submitted a memo for the table to remove this item from tonight's agenda due to the fact that the principal location of the organization (in Troy) is temporary and therefore they are ineligible for recognition as a nonprofit organization.

In addition, Mr. Szerlag provides the following:

As you know, Lori Bluhm, Tonni Bartholomew and I crafted a City Council report that appeared as item J-11 in the May 11, 2009 City Council agenda regarding Charter revision referrals. This memo addressed the following potential Charter revisions:

1. Increasing the time an Acting City Manager can serve prior to the appointment of a permanent City Manager to be greater than the 120-day requirement – Section 3.10 – City Manager; Appointment and Qualification
2. Annual term of Mayor Pro Tem – Section 3.7 – Election of Mayor Pro Tem
3. Election of Mayor by the Council or in a manner other than directly by the electorate – Sections 3.7 Election of Mayor (new), 3.1 – City Council, 3.4 – Elective Officers and Terms of Office, 3.4.1 – Elective Officers Term Limitations, 3.5 Qualifications of Councilmen, and 3.6 - Compensation of Councilmen
4. Additional consideration of the process wherein a Council member chooses to run for an elected office other than their own – Section 6.2(g)
5. Requirement of the minimum number of Charter Revision Committee members present and voting to recommend items to Council.

As there was no discussion on this report, there will not be any referrals sent to the Charter Revision Commission on your behalf. And my sole purpose for bringing this matter to your attention is just to be clear on the issue.

Please let us know if there are any comments or concerns.

Regards,
Mary Redden
Admin. Assistant to the City Manager