

A Regular Meeting of the Troy City Council was held Monday, August 3, 2009, at City Hall, 500 W. Big Beaver Road. Mayor Pro Tem Howrylak called the Meeting to order at 7:32 PM.

Pastor Randy Vinson of Bridge Community Church gave the Invocation and the Pledge of Allegiance to the Flag was given.

ROLL CALL:

Robin Beltramini
Cristina Broomfield
David Eisenbacher
Wade Fleming
Mayor Pro Tem Martin Howrylak
Mary Kerwin

ABSENT:

Mayor Louise E. Schilling – Due to illness

CERTIFICATES OF RECOGNITION:

A-1 Presentations:

- a) A presentation was given by Community Affairs Director, Cindy Stewart regarding the Troy Traffic Jam Classic Car Show.

CARRYOVER ITEMS:

B-1 No Carryover Items

PUBLIC HEARINGS:

C-1 Establishment of an Industrial Development District (IDD) – X-Ray Industries, 1961 Thunderbird

The Public Hearing was opened for comment from the Public.
The Public Hearing was closed after no comment was received.

Resolution #2009-08-225
Moved by Fleming
Seconded by Kerwin

RESOLVED, That Troy City Council hereby **ESTABLISHES** an Industrial Development District (IDD) for X-Ray Industries, Inc., for property known as 1961 Thunderbird, Troy, MI. 48084, Parcel #s 88-20-28-402-026 and 88-20-28-402-027, in accordance with City Council Policy Resolution #2009-02-042; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to forward a copy of this resolution to the State Tax Commission, Treasury Building, P.O. Box 30471, Lansing, MI 48909-7971.

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

MOTION CARRIED

C-2 Granting of an Industrial Facilities Exemption Certificate (IFEC) to X-Ray Industries, 1961 Thunderbird

The Public Hearing was opened for comment from the Public.
The Public Hearing was closed after no comment was received.

Resolution #2009-08-226
Moved by Beltramini
Seconded by Fleming

WHEREAS, After due notice and proper hearing, the City Council of the City of Troy on August 3, 2009, established an Industrial Development District (IDD) for property known as 1961 Thunderbird, Troy MI, 48084, Parcel #s 88-20-28-402-026 and 88-20-28-402-027;

WHEREAS, An Application has been submitted by X-Ray Industries, Inc., for an Industrial Facilities Exemption Certificate (IFEC) for personal property at 1961 Thunderbird, Troy, MI. 48084, for six (6) years; and

WHEREAS, After due and proper notice by the City Clerk, the City Council, on August 3, 2009, held a Public Hearing giving opportunity for comment by all taxing units as to the possibility that the granting of an Industrial Facilities Exemption Certificate (IFEC) for X-Ray Industries, Inc., at 1961 Thunderbird, Troy, MI. 48084 may have the effect of substantially impeding the operation of the taxing unit, or impairing the financial soundness of the taxing unit;

THEREFORE, BE IT RESOLVED, That Troy City Council has **FOUND THAT THE GRANTING** of an Industrial Facilities Exemption Certificate (IFEC) for X-Ray Industries, Inc., at 1961 Thunderbird Troy, MI 48084 shall not substantially impede the operation of the City of Troy or the other taxing units, **NOR HAS IT BEEN FOUND THAT THE GRANTING** of the Industrial Facilities Exemption Certificate (IFEC) will impair the financial soundness of the City of Troy, or the other taxing units which levy taxes on said property; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** the application for an Industrial Facilities Exemption Certificate (IFEC) for X-Ray Industries, Inc., at 1961 Thunderbird, Troy, MI. 48084, Parcel #s 88-20-28-402-026 and 88-20-28-402-027, for personal property for a term of six (6) years, **CONTINGENT** upon the execution of a Letter of Agreement between the City of Troy and X-Ray Industries, Inc., and payment of the application fee established in accordance with Public Act 198 of 1974, as amended; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Mayor and City Clerk to execute the Letter of Agreement between the City of Troy and X-Ray Industries, Inc., a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** the City Clerk to complete the Application and transmit same to the State Tax Commission, Treasury Building, P.O. Box 30471, Lansing, MI 48909-7971.

Yes: Broomfield, Fleming, Kerwin, Beltramini

No: Eisenbacher, Howrylak

Absent: Schilling

MOTION CARRIED

POSTPONED ITEMS:

D-1 No Postponed Items

PUBLIC COMMENT: Limited to Items Not on the Agenda

Paul Beck

Gary King

Marvin Reinhardt

James Savage

Jack Witt

REGULAR BUSINESS:

E-1 Appointments to Boards and Committees: None Scheduled

E-2 Nominations for Appointments to Boards and Committees: (b) City Council Nominations: Advisory Committee for Persons with Disabilities

b) City Council Nominations

Resolution #2009-08-227

Moved by Howrylak

Seconded by Kerwin

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 Persons with Disabilities

Appointed by Council (7-Regular) - 3-Year Terms; Student – 1-Year Term

Raagini Suresh - Student

Term Expires 07/01/2010

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

MOTION CARRIED

E-3 Traffic Committee Recommendations – July 15, 2009

Resolution #2009-08-228
Moved by Eisenbacher
Seconded by Kerwin

(a) Installation of NO PARKING Signs on Cypress Court

Resolution #2009-08-228a

RESOLVED, That Troy City Council hereby **AUTHORIZES** Traffic Control Order No. 09-01-P be issued for the installation of NO PARKING signs on Cypress Court.

(b) Installation of Additional Advance Intersection Lane Control Sign North of Henrietta for Northbound Rochester Road

Resolution #2009-08-228b

RESOLVED, That Troy City Council hereby **AUTHORIZES** Traffic Control Order No. 09-01-MR be issued for the installation of an additional advance intersection lane control sign to be placed just north of Henrietta for northbound Rochester Road.

(c) Installation of YIELD Sign on Eastbound Barton Way at Falcon Drive

Resolution #2009-08-228c

RESOLVED, That Troy City Council hereby **AUTHORIZES** Traffic Control Order No. 09-02-SS (Y) be issued for the installation of a YIELD sign on eastbound Barton Way at Falcon Drive.

(d) Traffic Operations at Barnard Elementary School – Establishment of NO STOPPING, STANDING, PARKING Zone on the South Side of Forge from the School Property to Anvil

Resolution #2009-08-228d

RESOLVED, That Troy City Council hereby **AUTHORIZES** Traffic Control Order No. 09-02-P be issued for the establishment of a NO STOPPING, STANDING, PARKING zone on the south side of Forge from the school property to Anvil, during the hours of 7:45 to 8:45 AM and 2:45 to 3:45 PM, school days only.

(e) Establishment of Fire Lanes/Tow Away Zones – 3150 Adams

Resolution #2009-08-228e

RESOLVED, That Troy City Council hereby **AUTHORIZES** Traffic Control Order No. 09-02-MR be issued for the establishment of fire lanes/tow away zones at 3150 Adams as recommended by the Fire Department.

(f) Establishment of Fire Lanes/Tow Away Zones – 1075 Rankin

Resolution #2009-08-228f

RESOLVED, That Troy City Council hereby **AUTHORIZES** Traffic Control Order No. 09-03-MR be issued for the establishment of fire lanes/tow away zones at 1075 Rankin as recommended by the Fire Department.

(g) Establishment of Fire Lanes/Tow Away Zones – 637 John R

Resolution #2009-08-228g

RESOLVED, That Troy City Council hereby **AUTHORIZES** Traffic Control Order No. 09-04 MR be issued for the establishment of fire lanes/tow away zones at 637 John R as recommended by the Fire Department.

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

No: None

Absent: Schilling

MOTION CARRIED

E-4 Michigan Municipal League, Michigan Green Communities Challenge, An Energy Efficiency and Conservation Strategy, Resolution to Participate

Resolution #2009-08-229

Moved by Beltramini

Seconded by Fleming

WHEREAS, The City of Troy wants to emphasize the benefits of energy efficiency and conservation;

WHEREAS, The City of Troy wants to demonstrate that energy efficiency and conservation practices can be applied to the daily governmental operations and to infrastructure projects;

WHEREAS, The City of Troy seeks to find methods of service delivery and operations that conserve energy and resources, saving taxpayer dollars and protecting and preserving the environment;

WHEREAS, The City of Troy recognizes that sound energy efficiency and conservation practices can reduce government costs over the long-term;

WHEREAS, The City of Troy will lead by example to show the practicality and effectiveness of these practices; and

WHEREAS, The City of Troy seeks to encourage its citizens and businesses to initiate stewardship activities that benefit the environment and their community;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **ACCEPTS** the Michigan *Green Communities Challenge* and pledges to work toward achieving the goals of the *Basic Challenge* over the next three years.

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

No: None

Absent: Schilling

MOTION CARRIED

E-5 Charter Section 6.2 (g) Recommendation

Vote on Resolution to Postpone Agenda Item E-5 Charter Section 6.2 (g) Recommendation Until After Discussion of Item H-1 Proposed City Charter Amendments as Requested by Council Member Eisenbacher and Council Member Howrylak Pertaining to Vacancies in Office

Resolution #2009-08-230

Moved by Eisenbacher

Seconded by Beltramini

RESOLVED, That Troy City Council hereby **POSTPONES** Agenda Item E-5 Charter Section 6.2 (g) Recommendation until after discussion of H-1 Proposed City Charter Amendments as Requested by Council Member Eisenbacher and Council Member Howrylak Pertaining to Vacancies in Office.

Yes: Beltramini, Broomfield, Eisenbacher, Fleming, Howrylak

No: Kerwin

Absent: Schilling

MOTION CARRIED

CONSENT AGENDA:

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

Resolution #2009-08-231F-1a

Moved by Beltramini

Seconded by Fleming

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Items F-4a and F-14, which **SHALL BE CONSIDERED** after Consent Agenda (F) items, as printed.

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

No: None

Absent: Schilling

MOTION CARRIED

F-2 Approval of City Council Minutes

Resolution #2009-08-231-F-2

RESOLVED, That Troy City Council hereby **APPROVES** the Minutes of the 6:00 PM Special City Council Meeting of July 20, 2009 as submitted; and the 7:30 PM Regular City Council Meeting of July 20, 2009 as corrected.

F-3 City of Troy Proclamations: None Submitted

F-4 Standard Purchasing Resolutions

b) Standard Purchasing Resolution 5: Approval to Expend Budgeted Funds – Avondale Youth Assistance

Resolution #2009-08-231-F-4b

RESOLVED, That Troy City Council hereby **GRANTS** approval to expend funds budgeted in the 2009/2010 fiscal year to the Avondale Youth Assistance to provide counseling and community services to prevent youth offender recidivism to the residents of Troy who reside in the Avondale School District at a cost of \$5,820.00, paid in one installment; and

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

c) Standard Purchasing Resolution 5: Approval to Expend Budgeted Funds – Common Ground

Resolution #2009-08-231-F-4c

RESOLVED, That Troy City Council hereby **GRANTS** approval to expend funds budgeted in the 2009/2010 fiscal year to Common Ground to provide community service programs to the residents of the City of Troy in the amount of \$2,040.00; and

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

d) **Standard Purchasing Resolution 5: Approval to Expend Budgeted Funds – Troy Community Coalition**

Resolution #2009-08-231-F-4d

RESOLVED, That Troy City Council hereby **GRANTS** approval to expend funds budgeted in the 2009/2010 fiscal year to the Troy Community Coalition to provide community services to prevent drug and alcohol abuse in the amount of \$97,000.00; and

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

e) **Standard Purchasing Resolution 5: Approval to Expend Budgeted Funds – HAVEN**

Resolution #2009-08-231-F-4e

RESOLVED, That Troy City Council **GRANTS** approval to expend funds budgeted in the 2009/2010 fiscal year to the HAVEN Program to provide community services to support victims of domestic assault for the residents of the City of Troy in the amount of \$4,370.00; and

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

f) **Standard Purchasing Resolution 10: Travel Authorization and Approval to Expend Funds for Council Member Travel Expenses – National League of Cities – Finance, Administration and Intergovernmental Affairs (FAIR) Steering Committee Fall Meeting**

Resolution #2009-08-231-F-4f

RESOLVED, That Troy City Council hereby **AUTHORIZES** Council Member Robin Beltramini to attend the NLC - FAIR Steering Committee's fall meeting from October 8 - 11, 2009 in Mountainview, California, in accordance with accounting procedures of the City of Troy.

g) **Standard Purchasing Resolution 7: Proprietary Maintenance Service Contract – Engineering Software Maintenance (Bentley Systems, Inc.)**

Resolution #2009-08-231-F-4g

RESOLVED, That Troy City Council hereby **APPROVES** the Proprietary Maintenance Service contract to provide software maintenance for Microstation, InRoads, InRoads Survey, PowerSurvey and InRoads Storm and Sanitary Sewer software through July 13, 2010 to Bentley Systems, Inc., 685 Stockton Drive, Exton, PA 19341 for an estimated total cost of \$14,440.00.

h) **Standard Purchasing Resolution 4: Award – State of Michigan MiDEAL Program – Lawn and Garden, Commercial and Agricultural Equipment**

Resolution #2009-08-231-F-4h

RESOLVED, That Troy City Council hereby **APPROVES** a contract to purchase one (1) 2009 John Deere Backhoe from JDE Equipment Company, of New Hudson, MI, through the State of Michigan MiDEAL program for \$91,297.00 plus additional options not covered under MiDEAL of \$5,050.00, and dealer installed items at \$615.00 less trade-ins of \$14,700.00 and \$14,000.00, for an estimated net total cost of \$68,262.00; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Fleet Maintenance Division to accept or reject the trade-in offers of \$14,700.00 and \$14,000.00 for two backhoes, pending the results to offer the equipment for sale on the open market at an amount greater than \$14,700.00 and \$14,000.00 respectively.

i) **Standard Purchasing Resolution 1: Award to Low Bidder – Marcite/Grouting Tile – Troy Community Center Pools**

Resolution #2009-08-231-F-4i

RESOLVED, That Troy City Council hereby **AWARDS** a contract to furnish all material, labor, tools and equipment to re-marcite and re-grout tiles at the indoor pools of the Troy Community Center to the low total bidder, Clearwater Pools and Service of Ann Arbor, MI, for an estimated total cost of \$24,500.00, at pricing as contained in the bid tabulation opened July 16, 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 bonds, insurance certificates and all other specified requirements.

F-5 Recognition as a Nonprofit Organization Status from Alexandria Whitney, President of Guardians For Animals

Resolution #2009-08-231-F-5

RESOLVED, That Troy City Council hereby **APPROVES** the request from Guardians For Animals, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining a charitable gaming license as recommended by City Management.

F-6 Acceptance of a Permanent Storm Sewer and Drainage Easement – McComb Construction Company, Inc. – Sidwell #88-20-03-401-053, -052 and -051

Resolution #2009-08-231-F-6

RESOLVED, That Troy City Council hereby **ACCEPTS** the Permanent Easement for storm sewer and drainage from McComb Construction Company, Inc., owner of the property having Sidwell #88-20-03-401-053, 052 and 051; and

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

F-7 Acceptance of a Permanent Sidewalk Easement – Michael J. Lamb – Sidwell #88-20-15-376-036

Resolution #2009-08-231-F-7

RESOLVED, That Troy City Council hereby **ACCEPTS** the Permanent Easement for sidewalk from Michael J. Lamb, owner of the property having Sidwell #88-20-15-376-036; and

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

F-8 Acceptance of Two Permanent Easements – Michael J. Lamb – Sidwell #88-20-15-377-052

Resolution #2009-08-231-F-8

RESOLVED, That Troy City Council hereby **ACCEPTS** the Permanent Easements for water main and public utilities from Michael J. Lamb, owner of the property having Sidwell #88-20-15-377-052; and

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

F-9 Acceptance of a Permanent Water Main Easement – West Maple Ventures, LLC – Sidwell #88-20-32-126-004

Resolution #2009-08-231-F-9

RESOLVED, That Troy City Council hereby **ACCEPTS** the Permanent Easement for water main from West Maple Ventures, LLC, owner of the property having Sidwell #88-20-32-126-004; and

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

F-10 Acceptance of Two Permanent Storm Sewer and Drainage Easements, Subhash and Sandhya Subhedar – Sidwell #88-20-22-102-022 and Neil G. and Donna L. Mitchell – #88-20-22-102-023

Resolution #2009-08-231-F-10

RESOLVED, That Troy City Council hereby **ACCEPTS** the Permanent Easements for storm sewer and surface drainage from Subhash and Sandhya Subhedar, owners of the property having Sidwell #88-20-22-102-022 and Neil G. and Donna L. Mitchell, owners of the property having Sidwell #88-20-22-102-023; and

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

F-11 Municipal Credit and Community Credit Agreement

Resolution #2009-08-231-F-11

RESOLVED, That Troy City Council hereby **APPROVES** the request that the City transfer Municipal Credit funds in the amount of \$76,084.00 and Community Credit funds in the amount of \$110,732.00 to Troy Medi-Go Plus for the operation of transportation service for senior citizens and persons with disabilities 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.

F-12 Recognition as a Nonprofit Organization Status from Michael Lanctot, Trustee for Friends of Jacob Foundation

Resolution #2009-08-231-F-12

RESOLVED, That Troy City Council hereby **APPROVES** the request from Friends of Jacob Foundation, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining a charitable gaming license as recommended by City Management.

F-13 Fireworks Permit – Troy Daze Festival

Resolution #2009-08-231-F-13

RESOLVED, That Troy City Council hereby **ISSUES** a fireworks permit to Mad Bomber Fireworks Productions, Inc., of Kingsbury, IN for the display of fireworks at the conclusion of the 2009 Troy Daze Festival on September 20, 2009.

F-15 Granting of a Permanent Drain Easement to McCulloch Drain Drainage District – Sidwell #88-20-22-478-007 and 88-20-23-354-047

Resolution #2009-08-231-F-15

RESOLVED, That Troy City Council hereby **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** a Permanent Easement to the McCulloch Drain Drainage District for the construction, operation, maintenance, repair or replacement of the McCulloch Drain, said easement to encumber City of Troy owned parcels having Sidwell #88-20-22-478-007 and 88-20-23-354-047.

F-16 McCulloch Drain License and Use Agreement

Resolution #2009-08-231-F-16

RESOLVED, That Troy City Council hereby **APPROVES** the attached McCulloch Drain License and Use Agreement with the McCulloch Drain Drainage District for the construction, operation and maintenance of a city park partially within a sixty (60) foot wide permanent easement for the McCulloch Drain at the northeast corner of Rochester and Big Beaver Roads; and

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

F-17 Approval of Transfer Ownership through Merger of 2009 B-Hotel Licensed Business for Drury Hotels Company, LLC 575 W Big Beaver (Step 1) {MLCC Request #491090}**(a) Transfer Ownership**

Resolution #2009-08-231-F-17a

RESOLVED, That Troy City Council hereby **CONSIDERS** for **APPROVAL** the request to transfer ownership through merger of 2009 B-Hotel licensed business located at 575 W Big Beaver, Troy MI 48084, Oakland County, from Drury Inns, Inc. to Drury Hotels Company, LLC (A Nevada Limited Liability Company) (Step 1) {MLCC Request #491090} “above all others”; and

BE IT FURTHER RESOLVED, That it is the consensus of this legislative body that the application **BE RECOMMENDED** “above all others” for issuance.

(b) Agreement

Resolution #2009-08-231-F-17b

WHEREAS, The Troy City Council deems it necessary to enter agreements with applicants for liquor licenses for the purpose of providing civil remedies to the City of Troy in the event licensees fail to adhere to Troy Codes and Ordinances;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** an agreement with DDC Hotels, Inc. (A Missouri Corporation), to transfer ownership through merger of 2009 B-Hotel and SDM Licensed Business, located at 575 West Big Beaver, Troy, MI 48084, Oakland County, from Drury Hotels Company, LLC (A Nevada Limited Liability Company); and a new official permit (food), 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.

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

MOTION CARRIED

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

F-4 Standard Purchasing Resolutions

a) Standard Purchasing Resolution 5: Approval to Expend Budgeted Funds – Troy Youth Assistance

Resolution #2009-08-232
Moved by Eisenbacher
Seconded by Fleming

RESOLVED, That Troy City Council hereby **GRANTS** approval to expend funds budgeted in the 2009/2010 fiscal year to the Troy Youth Assistance to provide diversion programs and community services to the residents of the City of Troy at a cost of \$33,950.00, paid in quarterly installments; and

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

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

MOTION CARRIED

F-14 Traffic Signal Agreements – Rochester, Torpey to Barclay and Wattles, East and West of Rochester – Project No. 99.203.5 and 01.106.5

Public Comment was received from James Savage.

Resolution #2009-08-233
Moved by Eisenbacher
Seconded by Beltramini

RESOLVED, That Troy City Council hereby **APPROVES** the attached traffic signal agreements with the Road Commission for Oakland County (RCOC) for the removal, modernization and installation of traffic signals as part of the Rochester, Torpey to Barclay and Wattles, East and West of Rochester Road projects at the following locations: Rochester Road and Charrington Drive (Co. #583); Rochester Road (NB) and Bishop Drive (Co. #641); Rochester Road (SB) and South of Torpey Drive, Pedestrian Crossing (Co. # 1291); Rochester Road (NB) and Torpey Drive (Co. # 1292); Rochester Road (SB) and Troywood Drive (Co. # 1293); Rochester Road (NB) and X-Over South of Wattles Road (Co. # 1294); Rochester Road (SB) and X-Over North of Wattles Road (Co. # 1295); Wattles Road (EB) and X-Over West of Rochester Road (Co. # 1296); Wattles Road (WB) and X-Over East of Rochester Road (Co. # 1297); and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Mayor and City Clerk to execute the agreements, copies of which shall be **ATTACHED** to the original Minutes of the meeting.

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

No: None

Absent: Schilling

MOTION CARRIED

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings: None Submitted

G-2 Memorandums: None Submitted

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

H-1 Proposed City Charter Amendments as Requested by Council Member Eisenbacher and Council Member Howrylak Pertaining to Vacancies in Office

Resolution #2009-08-234

Moved by Eisenbacher

Seconded by Fleming

RESOLVED, That Troy City Council hereby **REFERS** the attached Charter Amendments listed in the memo dated July 31, 2009 to the Charter Revision Committee for input and to City Administration to prepare draft ballot language to be returned to City Council on the August 17, 2009 City Council Agenda for authorization to place the ballot items on the November 3, 2009 ballot.

Yes: Fleming, Howrylak, Beltramini, Broomfield, Eisenbacher

No: Kerwin

Absent: Schilling

MOTION CARRIED

E-5 Charter Section 6.2 (g) Recommendation**Vote on Resolution to Postpone Agenda Item E-5 Charter Section 6.2 (g) Recommendations for Ballot Language**

Resolution #2009-08-235
Moved by Beltramini
Seconded by Eisenbacher

RESOLVED, That Troy City Council hereby **POSTPONES** Agenda Item E-5 Charter Section 6.2 (g) Recommendations for Ballot Language until the August 17, 2009 Regular City Council meeting; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **DIRECTS** City Administration to schedule Agenda Item E-5 Charter Section 6.2 (g) Recommendations for Ballot Language after discussion on August 17, 2009 of other proposed Charter Amendments.

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

MOTION CARRIED

The meeting **RECESSED** at 9:43 PM.

The meeting **RECONVENED** at 9:51 PM.

COUNCIL COMMENTS:

I-1 No Council Comments Advanced**REPORTS:**

J-1 Minutes – Boards and Committees:

- a) Traffic Committee/Final – January 21, 2009
- b) Special Joint Birmingham Planning Board/Troy Planning Commission – April 16, 2009
- c) Troy Daze Advisory Committee/Final – April 23, 2009
- d) Brownfield Redevelopment Authority/Final – May 5, 2009
- e) Board of Zoning Appeals/Final – June 16, 2009
- f) Planning Commission Special/Study/Draft – June 23, 2009
- g) Building Code Board of Appeals/Draft – July 1, 2009
Noted and Filed

J-2 Department Reports:

- a) Parks and Recreation – Monthly Golf Course Operations
Noted and Filed

J-3 Letters of Appreciation:

- a) Letter of Appreciation to Chief Mayer from Officer Craig White, Madison Heights Police Department, Commending the Troy Police Department Color Guard in Honoring Officer Ryan Settlemoir and His Family
- b) Letter of Appreciation to Chief Mayer from Tpr. Denis McGuckin Regarding the Professionalism and Dedication of Sgt. Kowalski, Officers Brazel and Drewek, and PSA Ann Scherlinck

Noted and Filed

J-4 Proposed Proclamations/Resolutions from Other Organizations:

- a) Oakland County Board of Commissioners Resolution #09130 – Support for Safe Passage of Great Lakes Migrating Birds in Oakland County

Noted and Filed

J-5 Communication from Assistant City Manager Brian Murphy Regarding Downtown Development Authority Membership

Noted and Filed

J-6 Communication from Housing and Zoning Inspector Supervisor Paul Evans in Response to Comments made at July 20, 2009 City Council Meeting Regarding 89 E. Long Lake

Noted and Filed

J-7 Communication from Housing and Zoning Inspector Supervisor Paul Evans in Response to Comments made at July 20, 2009 City Council Meeting Regarding 4977 Livernois

Noted and Filed

STUDY ITEMS:

K-1 Amendments to the Troy City Code: Update of Chapter 82 – Property Maintenance Code; Amendments to Chapter 48 – Litter; Chapter 82-B – Dangerous Buildings; Chapter 88 – Nuisance; and Deletion of Chapter 89 – Weed Control

There was a consensus of Council Members present to defer this item to the August 17, 2009 Regular City Council Meeting.

PUBLIC COMMENT: Address of “K” Items

The meeting **RECESSED** at 9:53 PM.

The meeting **RECONVENED** at 10:03 PM.

CLOSED SESSION:

L-1 Closed Session

Resolution #2009-08-236
Moved by Beltramini
Seconded by Eisenbacher

RESOLVED, That Troy City Council **SHALL MEET** in Closed Session, as permitted by MCL 15.268 (e), Pending Litigation – *Troy v. Uncle Ed’s Oil Shoppe (UEOS)* and *Troy vs. Sunset Excavating/Eclipse Excavating, LLC*.

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

MOTION CARRIED

The meeting **ADJOURNED** at 10:10 PM.

Martin Howrylak, Mayor Pro Tem

Barbara A. Pallotta, CMC
Deputy City Clerk