

Pastor Dan Lewis of Troy Christian Chapel gave the Invocation. The Pledge of Allegiance to the Flag was given.

## A. CALL TO ORDER:

The Regular Meeting of the Troy City Council was held Monday, May 17, 2010, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:30 PM.

## B. ROLL CALL:

Mayor Louise E. Schilling  
 Robin Beltramini  
 Mayor Pro Tem Wade Fleming  
 Martin Howrylak  
 Mary Kerwin  
 Maureen McGinnis  
 Dane Slater

## C. CERTIFICATES OF RECOGNITION:

### C-1 Presentations:

- a) Rusty Kaltsounis, President of the St. Nicholas Greek Orthodox Church extended invitations to the Mayor, City Council Members and the Troy community to attend the *17<sup>th</sup> Annual OPA Fest* at St. Nicholas Greek Orthodox Church June 25-27, 2010.
- b) On behalf of the City of Troy, Mayor Schilling presented a proclamation recognizing Padma Kuppa as the recipient of the *2010 Diversity Champion Honor Roll Award*.

## D. CARRYOVER ITEMS:

### D-1 No Carryover Items

## E. PUBLIC HEARINGS:

### E-1 No Public Hearings

## F. PUBLIC COMMENT:

<b>Mark Stimac</b>	Discussed H-4 <i>Building Department Services – Safe Built Michigan, Inc. Contract</i> and budget Option 1 as it pertains to the Building Department staff.
<b>Brenda Adams-White</b> AFCSME Council 25	Discussed privatization of the city's golf courses.
<b>Albert VanHoutte</b>	Discussed Chapter 61 - Temporary Merchants ordinance as it relates to farm stands.
<b>Richard Peters</b>	Discussed various topics.
<b>James Savage</b>	Discussed public comment procedures.
<b>Linda Kajma</b>	Discussed the 2010/2011 Budget.
<b>Audre Zembrzuski</b>	Discussed the number of lawsuits and past decisions made by City Council.

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**G. POSTPONED ITEMS:**

G-1 No Postponed Items

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**H. REGULAR BUSINESS:**

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H-1 Appointments to Boards and Committees: None Scheduled

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H-2 Nominations for Appointments to Boards and Committees: None Scheduled

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H-3 Alcohol Sales at the Troy Community Center

Resolution #2010-05-107

Moved by Kerwin

Seconded by Beltramini

RESOLVED, That the Troy City Council **DIRECTS** City Administration to explore the requirements for the serving of alcohol at the Community Center, and to formulate the procedures for alcohol service at the Community Center.

Yes: Schilling, Beltramini, Fleming, Kerwin, McGinnis, Slater

No: Howrylak

**MOTION CARRIED**

The meeting **RECESSED** at 9:46 PM.

The meeting **RECONVENED** 9:57 at PM.

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H-4 Building Department Services – Safe Built Michigan, Inc. Contract

Resolution

Moved by Kerwin

Seconded by Fleming

RESOLVED, That Troy City Council hereby **APPROVES** the H-4 *Building Department Services – Safe Built Michigan, Inc. Contract* **PENDING** the crafting of language by the City Attorney and signed by Safe Built Michigan, Inc. representatives regarding the 80/20 prorated inspections provision; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AWARDS** the attached three-year contract to provide Building Department Services to the best value proposal submitted by Safe Built Michigan, Inc. of Clarkston, MI, as a result of a best value process, which the Troy City Council determines to be in the public interest, to expire June 30, 2013, with an option to renew for two (2) additional years provided Safe Built Michigan, Inc. has met all the contract terms and conditions in accordance with the Professional Service Agreement dated May 17, 2010, 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 the contractor’s submission of proper proposal, contract documents and all other specified requirements; and

BE IT FINALLY RESOLVED, That Troy City Council **AUTHORIZES** the Mayor and City Clerk to execute the documents on behalf of the City of Troy.

**Vote on Resolution to Postpone Agenda Item H-4 *Building Department Services – Safe Built Michigan, Inc. Contract***

Resolution #2010-05-108

Moved by Howrylak

Seconded by Beltramini

RESOLVED, That Troy City Council hereby **POSTPONES** agenda item H-4 *Building Department Services – Safe Built Michigan, Inc. Contract* until the Monday, June 7, 2010 Regular City Council meeting to allow City Management to work with the Building Department so that they have the opportunity to submit their last best offer.

Yes: Beltramini, Fleming, Howrylak, McGinnis, Slater, Schilling

No: Kerwin

**MOTION CARRIED**

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**H-5 Standard Purchasing Resolution 11: Rejection of Proposals – Code Enforcement Services**

Resolution #2010-05-109

Moved by Beltramini

Seconded by McGinnis

RESOLVED, That Troy City Council hereby **REJECTS** all proposals for SOQ/RFP-COT 10-03, Code Enforcement Services opened February 17, 2010 and March 18, 2010, respectively, and will retain these services in-house through the Planning Department.

Yes: Fleming, Howrylak, Kerwin, McGinnis, Slater, Schilling, Beltramini

No: None

**MOTION CARRIED**

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**H-6 Resolution to Postpone Standard Purchasing Resolution 8 – Best Value Award: Golf Course Operations**

Resolution #2010-05-110

Moved by Beltramini

Seconded by Howrylak

RESOLVED, That Troy City Council hereby **POSTPONES** agenda item H-6 *Standard Purchasing Resolution 8 – Best Value Award: Golf Course Operations* until the Regular City Council meeting scheduled for Monday, June 7, 2010.

Yes: Howrylak, Kerwin, McGinnis, Slater, Schilling, Beltramini, Fleming

No: None

**MOTION CARRIED**

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**H-7 Approval of the Troy Brownfield Redevelopment Authority (BRA) Proposed Fiscal Year 2010/11 Budget**

Resolution #2010-05-111

Moved by Fleming

Seconded by Slater

WHEREAS, The Troy Brownfield Redevelopment Authority has adopted and recommends that City Council approve its proposed fiscal year 2010/11 budget.

THEREFORE BE IT RESOLVED, That Troy City Council hereby **APPROVES** the Troy Brownfield Redevelopment Authority's annual budget for fiscal year July 1, 2010 through June 30, 2011.

Yes: Kerwin, McGinnis, Slater, Schilling, Beltramini, Fleming, Howrylak

No: None

**MOTION CARRIED**

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**H-8 Scheduling Special City Council Meeting for Discussion of Council Goals and Objectives, Code of Conduct, Council Rules of Procedure, Boards and Committees**

Resolution

Moved by Kerwin

Seconded by Slater

RESOLVED, That Troy City Council hereby **SCHEDULES** a Special City Council Meeting for Monday, June 14, 2010, at 7:30 PM, in the Council Board Room of Troy City Hall, 500 W. Big Beaver, Troy, MI 48084, for the purpose of **DISCUSSING** *Council Goals and Objectives, Code of Conduct, and Council Rules of Procedure.*

**Vote on Resolution to Amend Agenda Item H-8 Scheduling Special City Council Meeting**

Resolution #2010-05-112

Moved by Kerwin

Seconded by Slater

RESOLVED, That Troy City Council hereby **AMENDS** the resolution for agenda Item H-8 *Scheduling Special City Council Meeting* by **STRIKING** “June 14, 2010” and **INSERTING** “June 28, 2010”.

Yes: McGinnis, Slater, Schilling, Beltramini, Fleming, Howrylak, Kerwin  
No: None

**MOTION CARRIED**

**Vote on Resolution to Amend Agenda Item H-8 Scheduling Special City Council Meeting**

Resolution #2010-05-113  
Moved by Howrylak  
Seconded by Beltramini

RESOLVED, That Troy City Council hereby **AMENDS** the resolution for agenda Item H-8 *Scheduling Special City Council Meeting* by **REINSERTING** “Boards and Committees”.

Yes: Slater, Beltramini, Fleming, Howrylak  
No: Schilling, Kerwin, McGinnis

**MOTION CARRIED**

**Vote on Agenda Item H-8 Scheduling Special City Council Meeting as Amended**

Resolution #2010-05-114  
Moved by Kerwin  
Seconded by Slater

RESOLVED, That Troy City Council hereby **SCHEDULES** a Special City Council Meeting for Monday, June 28, 2010, at 7:30 PM, in the Council Board Room of Troy City Hall, 500 W. Big Beaver, Troy, MI 48084, for the purpose of **DISCUSSING** *Council Goals and Objectives, Code of Conduct, Council Rules of Procedure and Boards and Committees.*

Yes: Schilling, Beltramini, Fleming, Howrylak, Kerwin, McGinnis, Slater  
No: None

**MOTION CARRIED**

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**H-9 Modification to Chapter 60 – Fees & Bonds Required – Fire Dept. and Modification to Chapter 93 – Fire Prevention**

Resolution #2010-05-115  
Moved by Beltramini  
Seconded by Fleming

RESOLVED, That Chapter 60, Fees and Bonds Required, of the Code of the City of Troy, as proposed, is hereby **ADOPTED** as recommended by the City Management. A copy of this ordinance shall be **ATTACHED** to the original Minutes of this meeting; and

RESOLVED, That Chapter 93, Fire Prevention, of the Code of the City of Troy, as proposed, is hereby **ADOPTED** as recommended by the City Management. A copy of this ordinance shall be **ATTACHED** to the original Minutes of this meeting.

Yes: Beltramini, Fleming, Howrylak, Kerwin, McGinnis, Slater, Schilling  
No: None

**MOTION CARRIED**

**I. CONSENT AGENDA:**

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

Resolution #2010-05-116  
Moved by Kerwin  
Seconded by McGinnis

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented.

Yes: Fleming, Howrylak, Kerwin, McGinnis, Slater, Schilling, Beltramini  
No: None

**MOTION CARRIED**

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**I-1b Address of “I” Items Removed for Discussion by City Council**

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

Resolution #2010-05-116-I-2

RESOLVED, That Troy City Council hereby **APPROVES** the Minutes of the 7:30 PM Regular City Council Meeting of May 10, 2010 as submitted.

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**I-3 City of Troy Proclamation:**

Resolution #2010-05-116-I-3

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

- a) Proclamation in Recognition of Padma Kuppa – Recipient of 2010 Diversity Champion Honor Roll Award

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**I-4 Standard Purchasing Resolutions:**

- a) Standard Purchasing Resolution 1: Award to Low Bidder – Reprographic System

Resolution #2010-05-116-I-4a

RESOLVED, That Troy City Council hereby **AWARDS** a contract to purchase and install one (1) new KIP 3102 reprographic system for the City Engineering Department to the low total bidder, Dunn Blue Reprographics of Troy, MI, for an estimated net total cost of \$17,452.50 including trade-in, stand, stacking rack system, training, and three (3) year onsite parts and labor maintenance contract at prices contained in the bid tabulation opened April 15, 2010, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

BE IT FURTHER RESOLVED, That Troy City Council hereby **ALLOWS** the purchase of supplies of toner and paper at discounts of 10% and 20%, respectively.

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

**b) Standard Purchasing Resolution 2: Sole Bidder – Opticom Replacement Parts**

Resolution #2010-05-116-I-4b

RESOLVED, That Troy City Council hereby **AWARDS** a contract to furnish new Opticom replacement parts for the City Fire Department to the sole bidder, Carrier & Gable, Inc. of Farmington Hills, MI, for an estimated net total cost of \$18,324.50 including trade-ins, at prices contained in the bid tabulation opened May 6, 2010, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

**c) Standard Purchasing Resolution 2: Award to Low Bidder – Firefighting Protective Helmets**

Resolution #2010-05-116-I-4c

RESOLVED, That Troy City Council hereby **AWARDS** a contract to furnish new structural firefighting helmets for the City of Troy Fire Department to the lowest total bidder meeting specifications, Douglas Safety Systems, LLC of Sanford, MI, for an estimated total cost of \$48,336.00 at prices contained in the bid tabulation opened May 5, 2010, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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**I-5 Troy v Picano Land Limited Partnership**

Resolution #2010-05-116-I-5

RESOLVED, That Troy City Council hereby **APPROVES** the proposed Judgment on Jury Verdict Determining Just Compensation in the condemnation case of *City of Troy v Picano Limited Land Partnership* (Oakland County Circuit Court Case No. 09-097982-CC), and authorizes payment in the amounts stated therein; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the City Attorney's Office to execute the document on behalf of the City of Troy, and a copy is to be **ATTACHED** to the original Minutes of this meeting.

**I-6 Troy v Lukich Realty**

Resolution #2010-05-116-I-6

RESOLVED, That the City of Troy City Council **APPROVES** the proposed Consent Judgment in the condemnation case of *City of Troy v Lukich Realty et. al* (Oakland County Circuit Court Case No. 09-098156-CC); and authorizes payment in the amounts stated therein; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the City Attorney's Office to execute the document on behalf of the City of Troy, and a copy is to be **ATTACHED** to the original Minutes of this meeting.

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**I-7 Mary Ann Hennig v City of Troy et. al.**

Resolution #2010-05-116-I-7

NOW THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the settlement presented in the May 10, 2010 Closed Session, and **DIRECTS** the City Attorney to proceed.

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**I-8 Troy v Ibrahim**

Resolution #2010-05-116-I-8

RESOLVED, That Troy City Council hereby **APPROVES** the proposed Consent Judgment in the condemnation case of *City of Troy v Firas I. Ibrahim et. al* (Oakland County Circuit Court Case No. 09-098157-CC), and authorizes payment in the amounts stated therein; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the City Attorney's Office to execute the document on behalf of the City of Troy, and a copy is to be **ATTACHED** to the original Minutes of this meeting.

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**I-9 Candlewood Amended and Restated Consent Judgment**

Resolution #2010-05-116-I-9

BE IT RESOLVED, That Troy City Council hereby **RATIFIES** Resolution 2009-11-345, which approves the attached Second Amended and Restated Consent Judgment in *Candlewood Hotel Company, Inc. and Rosso Development v. City of Troy*, Oakland County Circuit Court, Case Number 80-207200CZ, with the identification of the successor Plaintiff; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Mayor and City Clerk to execute the document on behalf of the City of Troy and to file it with the Oakland County Register of Deeds upon entry by the Court, a copy of which shall be **ATTACHED** to the original Minutes of the meeting.

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**J. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:**

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

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**J-2 Memorandums (Items submitted to City Council that may require consideration at some future point in time):**

- a) Temporary Merchant Business Ordinance and Farm Stands

There was a general consensus of City Council members present that City Management submit Chapter 68 – *Temporary Merchant Business* as a future agenda item and revisit the entire ordinance; farm stands will be addressed independently.

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**K. COUNCIL REFERRALS:**

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**K-1 No Council Referrals Advanced**

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**L. COUNCIL COMMENTS**

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**L-1 Council Comments Advanced:**

Based upon comments received from Council Member Kerwin, there was a general consensus of City Council members present that City Management review the fee structure at the Community Center.

Council Member Howrylak commended the rapid response and professionalism he and his family received from the various City of Troy emergency response teams resulting from a call he made to 911 over the weekend.

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**M. REPORTS**

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

- a) Brownfield Redevelopment Authority/Final – February 2, 2010
- b) Troy Youth Assistance Board/Draft – April 15, 2010
- c) Planning Commission Special/Draft – April 22, 2010
- d) Planning Commission Special/Final – April 22, 2010
- e) Planning Commission Special/Study/Draft – April 27, 2010
- f) Planning Commission Special/Study/Final – April 27, 2010
- g) Building Code Board of Appeals/Draft – May 5, 2010
- h) Brownfield Redevelopment Authority/Draft – May 13, 2010

Noted and Filed

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**M-2 Department Reports: None submitted**

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**M-3 Letters of Appreciation: None Submitted**

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

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**N. STUDY ITEMS**

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**N-1 No Study Items Submitted**

**O. CLOSED SESSION:**

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**O-1 Closed Session**

Resolution #2010-05-117  
Moved by Slater  
Seconded by Kerwin

BE IT RESOLVED, That Troy City Council **SHALL MEET** in Closed Session, as permitted by MCL15.268 (e) Pending Litigation – *Troy v RCU Independence, Inc.* and *Troy v Ida Rudack Trust* and MCL 15.268(h) (*MCL 15.243(g)*).

Yes: Howrylak, Kerwin, McGinnis, Slater, Schilling, Beltramini, Fleming  
No: None

**MOTION CARRIED**

**P. ADJOURNMENT**

The meeting **RECESSED** at 11:15 PM.

The meeting **RECONVENED** at 11:20 PM.

The meeting **ADJOURNED** on Tuesday, May 18, 2010 at 12:15 AM.

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Louise E. Schilling, Mayor

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Tonni L. Bartholomew, MMC  
City Clerk