

A Regular Meeting of the Troy City Council was held Monday, May 9, 2005, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:30 PM.

Mayor Pro Tem Beltramini gave the Invocation and the Pledge of Allegiance to the Flag was given.

ROLL CALL

PRESENT:

Mayor Louise E. Schilling
Robin E. Beltramini
Cristina Broomfield
David Eisenbacher
Martin F. Howrylak
David A. Lambert
Jeanne M. Stine

CERTIFICATES OF RECOGNITION:

A-1 Presentations:

- a) Jamie Martone – 2005 State Swimming Champion – 50 Yard Freestyle
- b) National Association of Letter Carriers – Food Drive Day – May 14, 2005

CARRYOVER ITEMS:

B-1 No Carryover Items

PUBLIC HEARINGS:

C-1 No Public Hearings Scheduled

POSTPONED ITEMS:

D-1 No Postponed Items

CONSENT AGENDA:

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

Resolution #2005-05-219
Moved by Lambert
Seconded by Beltramini

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

Yes: All-7

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

E-2 Approval of City Council Minutes

Resolution #2005-05-219-E-2

RESOLVED, That the Minutes of the Regular City Council Meeting of April 18, 2005 at 7:30 PM be **APPROVED** as corrected; the Minutes of the Special/Study Meeting of April 25, 2005 at 6:30 PM be **APPROVED** as corrected; the Minutes of the Regular Meeting of April 25, 2005 at 7:30 PM; and the Minutes of the Special/Study Meeting of May 2, 2005 at 6:30 PM be **APPROVED** as submitted.

E-3 City of Troy Proclamations

Resolution #2005-05-219-E-3

- a) Jamie Martone – 2005 State Swimming Champion – 50 Yard Freestyle
- b) National Association of Letter Carriers – Food Drive Day – May 14, 2005
- c) Arson Awareness Week – May 1–7, 2005

E-4 Standard Purchasing Resolutions

- a) **Standard Purchasing Resolution 1: Award to Low Bidder – Contract 05-2 – Section 23 Pavement Replacement**

Resolution #2005-05-219-E-4a

RESOLVED, That Contract No. 05-2, Section 23 Pavement Replacement, be **AWARDED** to Florence Pavement Providers, 12798 23 Mile Road, Shelby Township, MI 48315 at an estimated total cost of \$839,557.35; and

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon submission of proper contract and bid documents, including bonds, insurance certificates and all specified requirements, and if additional work is required such additional work is **AUTHORIZED** in an amount not to exceed 10% of the total project cost.

- b) **Standard Purchasing Resolution 1: Award to Low Bidder – Two (2) Air Compressors**

Resolution #2005-05-219-E-4b

RESOLVED, That a contract to furnish and install two (2) Air Compressors for the Fire Department is hereby **AWARDED** to the low bidder, Douglass Safety Systems of Rhodes, MI, for an estimated total cost of \$33,800.00, at unit prices contained in the bid tabulation opened March 23, 2005, 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 documents, including insurance certificates and all other specified requirements.

c) **Standard Purchasing Resolution 1: Award to Low Bidder – Contract 05-3 – Coolidge, North of Wattles Reconstruction**

Resolution #2005-05-219-E-4c

RESOLVED, That Alternate “B”, Option #1 of contract No. 05-3, Coolidge, north of Wattles reconstruction, be **AWARDED** to Six-S, Inc., 2210 Scott Lake Road, Waterford, MI 48328 at an estimated total cost of \$1,242,223.51; and

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon submission of proper contract and bid documents, including bonds, insurance certificates and all specified requirements, and if additional work is required such additional work is **AUTHORIZED** in an amount not to exceed 10% of the total project cost.

d) **Standard Purchasing Resolution 2: Bid Award – Lowest Bidders Meeting Specifications – Turfgrass Chemical Products**

Resolution #2005-05-219-E-4d

RESOLVED, That contracts to purchase 2005 seasonal requirements of Turfgrass protection products are hereby **AWARDED** to the low bidders meeting specifications as follows:

<u>BIDDERS</u>	<u>ITEMS</u>
Tri-Turf of Farmington Hills, MI.	1,2,5,6,16,20,22,29,30,33
Verdicon/UHS of Linden, MI.	3, 4, 7,19, 21,37
Great Lakes Turf LLC., of Grand Rapids MI.	8, 9, 10, 11, 12, 13, 15,18, 24, 34, 35, 36
Turfgrass Incorporated, of South Lyon MI.	14,17, 23, 25, 26, 27, 28, 31, 32

for an estimated total cost of \$156,785.00, at unit prices contained in the bid tabulation opened March 23, 2005, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-5 Acceptance of a Permanent Easement for Storm Sewer and Watermain – Michael Agnetti – Northeast Corner of Wattles Road and Northfield Parkway – Sidwell #88-20-17-454-016 and -017

Resolution #2005-05-219-E-5

RESOLVED, That the Storm Sewer and Watermain Easement from Michael Agnetti, owner of property at the northeast corner of Wattles Road and Northfield Parkway, having Sidwell #88-20-17-454-016 and -017 is hereby **ACCEPTED** for the operation, maintenance and repair or replacement of storm sewer and watermain; and

BE IT FURTHER RESOLVED, That the City Clerk is hereby **DIRECTED TO RECORD** said document with the Oakland County Register of Deeds Office, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-6 Acceptance of Three Permanent Easements for Public Utilities and a Warranty Deed for Street Right-of-Way – Birchwood Estates Site Condo – Sidwell #88-20-24-226-026, 027, 047, 046, and 045

Resolution #2005-05-219-E-6

RESOLVED, That the three (3) permanent easements for public utilities and the warranty deed for street right-of-way from Elro Corporation, owner of property in the northeast $\frac{1}{4}$ of Section 24, having Sidwell # 88-20-24-226-026, 027, 047, 046, and 045, are hereby **ACCEPTED**; and

BE IT FURTHER RESOLVED, That the City Clerk is hereby **DIRECTED TO RECORD** said documents with the Oakland County Register of Deeds Office, a copy of which shall be attached to the original Minutes of this meeting.

E-7 Acceptance of Permanent Easement for Sanitary Sewer – Dequindre Sewer Project No. 02.406.5 – Jaroslaw N. and Irene W. Mikulak, Sidwell #88-20-13-429-021

Resolution #2005-05-219-E-7

RESOLVED, That the Permanent Easement for Sanitary Sewer from Jaroslaw N. and Irene W. Mikulak, owners of 39917 Dequindre, having Sidwell #88-20-13-429-021 is hereby **ACCEPTED**; and

BE IT FURTHER RESOLVED, That the City Clerk is hereby **DIRECTED TO RECORD** said documents with the Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

E-8 Acceptance of a Regrading and Temporary Construction Permit for the Troy Court Water Main Project #01.502.5 – Section 34

Resolution #2005-05-219-E-8

RESOLVED, That the Regrading and Temporary Construction Permit from property owners Elerious and Priscilla King, having Sidwell #88-20-34-152-017, with a consideration of \$500.00, is hereby **ACCEPTED**, and payment of the stated consideration is **APPROVED**, for the construction, operation, maintenance and repair of the Troy Court Water Main Improvement Project; and

BE IT FURTHER RESOLVED, That a copy of said document shall be **ATTACHED** to the original Minutes of this meeting.

E-9 Acceptance of Conditioned Purchase Offer for Maple Road/Coolidge to Crooks Watermain and Sidewalk Project #01.501.5 – General Development Company No. 5, L.L.C., 1765 West Maple, Sidwell #88-20-32-226-028

Resolution #2005-05-219-E-9

RESOLVED, That the Agreement to Purchase between the City of Troy and General Development Company No. 5, L.L.C., having Sidwell #88-20-32-226-028 for acquisition of right-of-way in the amount of \$56,000.00, plus closing costs, is hereby **APPROVED**.

E-10 Approval of Conditioned Purchase Agreements for Right-of-Way: Sidewalk Gap Project, Sidwell #88-20-01-476-088 and 087

Resolution #2005-05-219-E-10

RESOLVED, That the two (2) Agreements to Purchase between Sharon Manning, owner of the properties having Sidwell #88-20-01-476-088 and 087, and the City of Troy, for the acquisition of right-of-way for a Sidewalk Gap Completion Project, is hereby **APPROVED** in the amounts of \$21,760.00 and \$12,840.00, respectively, plus closing costs.

E-11 Partial Release of Retained Public Utility Easement at 94 Hickory – Sidwell #88-200-27-156-029 – Daniel Bousho, Owner

Resolution #2005-05-219-E-11

RESOLVED, That the west 10 feet of the 50 foot wide public utility, storm drain/sewer easement retained over vacated Mastin Street, recorded in Liber 16413, page 860 of Oakland County Records, and abutting Lot 66 of Greenough Heights Subdivision, being part of Sidwell # 88-20-27-156-029, commonly known as 94 Hickory Street, is hereby **RELEASED AND ABANDONED**; and

BE IT FURTHER RESOLVED, That the City Clerk is hereby **DIRECTED TO RECORD** this resolution with the Oakland County Register of Deeds, a copy of which shall be attached to the original Minutes of this meeting.

E-12 Proposed Rezoning (Z-680) – Proposed Choice Cluster Development, East Side of Finch, South of Wattles, Section 21 – R-1B to CR-1

Resolution #2005-05-219-E-12

RESOLVED, That the proposed rezoning (Z-680) - Proposed Choice Cluster Development, east side of Finch, south of Wattles, Section 21, from R-1B to CR-1, is hereby **REMOVED** from City Council consideration at the request of the petitioner.

E-13 Transfer of Ownership of a Class C Liquor License – Delaware California Pizza Kitchen, Inc. (Somerset North)

Resolution #2005-05-219-E-13

RESOLVED, That the request from DELAWARE CALIFORNIA PIZZA KITCHEN, INC. (A DELAWARE CORPORATION), to transfer ownership through merger of a 2004 12 months Resort Class C licensed business [MCL 436.1531(4)]; non-transferable with official permit (food), located at Somerset Collection North, 2800 W. Big Beaver, Space N 126, Troy, MI 48084, Oakland County, from California Pizza Kitchen, Inc. (A California Corporation), be **CONSIDERED** for approval; it is the consensus of this legislative body that the application be recommended for issuance.

E-14 Private Agreement for Troy Medical Offices – Project No. 04.915.3

Resolution #2005-05-219-E-14

RESOLVED, That the *Contract for the Installation of Municipal Improvements* (Private Agreement) between the City of Troy and Charter Building & Development is hereby **APPROVED** for the installation of paving and sidewalk on the site and in the adjacent right of way, and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the documents, a copy of which shall be attached to the original Minutes of this meeting.

PUBLIC COMMENT: Limited to Items Not on the Agenda

REGULAR BUSINESS:

F-1 Appointments to Boards and Committees: a) Mayoral Appointments: No Appointments Scheduled; b) City Council Appointments: Advisory Committee for Senior Citizens; Cable Advisory Committee; Charter Revision Committee; Historic District Commission; Personnel Board

(a) Mayoral Appointments – No appointments scheduled

(b) City Council Appointments

Resolution
 Moved by Beltramini
 Seconded by Lambert

RESOLVED, That the following persons are hereby **APPOINTED BY THE CITY COUNCIL** to serve on the Boards and Committees as indicated:

Advisory Committee for Senior Citizens

Appointed by Council (9) – 3 years

David. S. Ogg

Term Expires 04/30/08

Josephine Rhoads Term Expires 04/30/08

Cable Advisory Committee

Appointed by Council (7) – 3 years

Brian H. Wehrung Term expires 02-28-2008

Charter Revision Committee

Appointed by Council (7) – 3 years

Cynthia A. Wilsher Term Expires April 30, 2008

William Weisgerber Term Expires April 30, 2008

Personnel Board

Appointed by Council (5) - 3 years

Ronald I. Tschirhart Term Expires April 30, 2008

Library Board

Appointed by Council (5) – 3 years

Lauren Andreoff (Student) Term Expires July 01, 2006

Cheng Chen (Mr) (Student) Term Expires July 01, 2006

Vote on Resolution to Separate Vote

Resolution #2005-05-220

Moved by Howrylak

Seconded by Lambert

RESOLVED, That the vote for the Charter Revision Committee appointments be **SEPARATED** until Mark R. Solomon can be contacted to determine whether he is interested in continuing to serve as a member on this committee.

Yes: Broomfield, Eisenbacher, Howrylak, Lambert, Stine, Schilling

No: Beltramini

MOTION CARRIED

(b) City Council Appointments

Resolution #2005-05-221

Moved by Beltramini

Seconded by Lambert

RESOLVED, That the following persons are hereby **APPOINTED BY THE CITY COUNCIL** to serve on the Boards and Committees as indicated:

Advisory Committee for Senior Citizens

Appointed by Council (9) – 3 years

David. S. Ogg

Term Expires 04/30/08

Josephine Rhoads

Term Expires 04/30/08

Cable Advisory Committee

Appointed by Council (7) – 3 years

Brian H. Wehrung

Term expires 02-28-2008

Personnel Board

Appointed by Council (5) - 3 years

Ronald I. Tschirhart

Term Expires April 30, 2008

Library Board

Appointed by Council (5) – 3 years

Lauren Andreoff (Student)

Term Expires July 01, 2006

Cheng Chen (Mr) (Student)

Term Expires July 01, 2006

Yes: All-7

It was the consensus of City Council to **POSTPONE** the vote on the City Charter Revision appointments until the Regular City Council Meeting scheduled on Monday, May 23, 2005 at 7:30 PM.

F-2 Membership Contract Between the City of Troy and Southeastern Oakland County Resource Recovery Authority (SOCRRA)

Resolution #2005-05-222

Moved by Stine

Seconded by Howrylak

RESOLVED, That a contract between the Southeastern Oakland County Resource Recovery Authority (SOCRRA) and the City of Troy, whereby SOCRRA shall collect, process and dispose of the municipal solid waste, yard waste and recyclables accumulating within this municipality, and the City of Troy shall pay SOCRRA for this service at rates established annually by the SOCRRA Board of Trustees throughout the contract period and as long as the City is bound by that contract, and the same is hereby **RATIFIED** and **APPROVED**; and

BE IT FURTHER RESOLVED, That the Mayor and City Clerk are **AUTHORIZED** and **DIRECTED TO EXECUTE** said contract with the Southeastern Oakland County Resource

Recovery Authority (SOCRRRA), a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7

F-3 Facilitation of a Futuring and Strategic Planning Process for the City of Troy by Mr. Ed Barlow

Resolution

Moved by Beltramini

Seconded by Lambert

RESOLVED, That the Troy City Council hereby **APPROVES** the proposal from Ed Barlow to facilitate a futuring and strategic planning process for an amount not to exceed \$50,000.00.

Resolution to Postpone

Resolution

Moved by Beltramini

Seconded by Broomfield

RESOLVED, That "*Facilitation of a Futuring and Strategic Planning Process for the City of Troy by Mr. Ed Barlow*" be **POSTPONED** until the Regular City Council Meeting scheduled for Monday, July 11, 2005 at 7:30 PM.

Resolution to Amend

Resolution

Moved by Eisenbacher

Seconded by Howrylak

RESOLVED, That the Resolution to Postpone be **AMENDED** by **INSERTING**, "and that City Staff submit a proposed resolution implementing a Best Value RFP with options given the interests that have been expressed." **AFTER** 7:30 PM.

Vote on Amendment to Resolution to Amend by Substitution

Resolution #2005-05-223

Moved by Lambert

Seconded by Broomfield

RESOLVED, That the Resolution to Amend be **AMENDED** by **STRIKING** in its entirety and **SUBSTITUTED** with, "RESOLVED, That the Resolution to Postpone be **AMENDED** by **INSERTING**, "any action proposed for" **BEFORE** "*Facilitation of a Futuring and Strategic Planning Process for the City of Troy by Mr. Ed Barlow*" and by **STRIKING** "July 11, 2005" and **INSERTING** "May 23, 2005"."

Yes: Lambert, Stine, Schilling, Beltramini, Broomfield, Eisenbacher

No: Howrylak

MOTION CARRIED**Vote on Resolution to Amend as Substituted**

Resolution #2005-05-224

Moved by Eisenbacher

Seconded by Howrylak

RESOLVED, That the Resolution to Postpone be **AMENDED** by **INSERTING**, “any action proposed for” **BEFORE** “*Facilitation of a Futuring and Strategic Planning Process for the City of Troy by Mr. Ed Barlow*” and by **STRIKING** “July 11, 2005” and **INSERTING** “May 23, 2005”.

Yes: Lambert, Stine, Schilling, Beltramini, Broomfield, Eisenbacher

No: Howrylak

MOTION CARRIED**Vote on Resolution to Postpone as Amended**

Resolution #2005-05-225

Moved by Beltramini

Seconded by Broomfield

RESOLVED, That any action proposed for “*Facilitation of a Futuring and Strategic Planning Process for the City of Troy by Mr. Ed Barlow*” be **POSTPONED** until Special/Study City Council Meeting scheduled for Monday, May 23, 2005 at 7:30 PM.

Yes: Stine, Schilling, Beltramini, Broomfield, Eisenbacher, Lambert

No: Howrylak

MOTION CARRIED

F-4 Big Beaver Corridor Study

Resolution #2005-05-226

Moved by Eisenbacher

Seconded by Stine

WHEREAS, The Troy Downtown Development Authority in conjunction with the Troy City Council recognized a need to re-ignite the development and redevelopment efforts of properties contained within the Troy Downtown Development district which have an estimated value of \$1.3 billion;

WHEREAS, The Troy City Council through Resolution 2004-10-565 directed City administration to proceed with the Big Beaver Corridor Study and to send out requests for proposals (RFP);

WHEREAS, In addition to his staff, the City Manager invited a representative from Troy City Council, Downtown Development Authority, Planning Commission and the City’s planning consultant to comprise a RFP committee;

WHEREAS, This RPF committee unanimously recommended that Birchler Arroyo Associates, Inc. be selected to perform the Big Beaver Corridor Study, based upon the best proposal submission in terms of stakeholder input, land use policies to determine long term economic viability, transportation management and design/aesthetics;

WHEREAS, The Downtown Development Authority adopted a resolution that authorizes the DDA Chairman and Executive Director to execute a contract with Birchler Arroyo Associates, Inc. to Conduct the Big Beaver Corridor Study, contingent upon endorsement by Troy City Council;

WHEREAS, The Birchler Arroyo Associates, Inc. proposal includes a professional fee of \$125,000 with 10% expenses, not to exceed a total of \$137,000.00.

NOW, THEREFORE, BE IT RESOLVED, That the Troy City Council **ENDORSES** the Downtown Development Authority contract with Birchler Arroyo Associates, Inc. and **SHALL BUDGET** sufficient funds for the Big Beaver Corridor Study.

Yes: All-7

The meeting **RECESSED** at 9:07 PM.

The meeting **RECONVENED** at 9:18 PM.

Vote on Resolution to Suspend Council Rules #16 – Members of the Public & Visitors

Resolution
Moved by Schilling
Seconded by Beltramini

RESOLVED, That Council Rules #16, Members of the Public & Visitors, be **SUSPENDED** and that Public Comment be reduced from five (5) minutes to three (3) minutes at the request of the Chair and by majority vote of City Council members elect.

Vote on Resolution to Amend

Resolution #2005-05-227
Moved by Howrylak
Seconded by Stine

RESOLVED, That the Resolution to Suspend Council Rules #16 – Members of the Public & Visitors be **AMENDED** by **STRIKING** “three (3)” and **INSERTING** “four (4)”.

Yes: All-7

Vote on Resolution as Amended

Resolution #2005-05-228

Moved by Schilling

Seconded by Beltramini

RESOLVED, That Council Rules #16, Members of the Public & Visitors, be **SUSPENDED** and that Public Comment be reduced from five (5) minutes to four (4) minutes at the request of the Chair and by majority vote of City Council members elect.

Yes: All-7

F-5 Options/Ramifications for Proposed I-75 Crooks / Long Lake Interchange Improvement Project

c) Vote on Resolution 3

Resolution #2005-05-229

Moved by Howrylak

Seconded by Lambert

WHEREAS, Due to various concerns from area residents and the White Chapel Cemetery, the Federal Highway Administration requested that an Environmental Assessment (EA) be performed for this project;

WHEREAS, The ICMA citizen survey which indicated that 51 percent of the resident respondents are not in favor of the above-referenced project.

THEREFORE, BE IT RESOLVED, That the Troy City Council **DIRECTS** City Staff to **ABANDON** the I-75 Crooks/Long Lake Interchange Improvement project before any further monies are expended on property acquisition or the Environmental Assessment (EA).

Yes: Howrylak, Lambert, Broomfield

No: Eisenbacher, Stine, Schilling, Beltramini

MOTION FAILED

b) Vote on Resolution 2

Resolution #2005-05-230

Moved by Stine

Seconded by Beltramini

WHEREAS, The Environmental Assessment (EA) required by the Federal Highway Administration will give those wanting to participate in the development process an opportunity to help identify the best solution for the area;

WHEREAS, The Environmental Assessment (EA) may identify an alternative that may not require the property acquisitions that have been initiated.

THEREFORE, BE IT RESOLVED, That the Troy City Council **DIRECTS** City staff to proceed with the Environmental Assessment, and after the Environmental Assessment is complete, begin to acquire property for the project where applicable.

Yes: Stine, Schilling, Beltramini, Eisenbacher,
No: Howrylak, Lambert, Broomfield

MOTION CARRIED

F-6 Temporary Aid Agreement

Resolution #2005-05-231
Moved by Stine
Seconded by Howrylak

WHEREAS, The closure of Coolidge Road at I-75 for construction will temporarily restrict the ability of Fire Station 6 to respond to incidents in Sections 5 and 6;

WHEREAS, Bloomfield Township has agreed to provide temporary aid to Troy by responding to structure fires in Sections 5 and 6 during the construction period.

NOW, THEREFORE, BE IT RESOLVED, That the attached agreement with Bloomfield Township which has been executed by the City Manager is hereby **RATIFIED**.

Yes: All-7

F-7 Final Site Plan Approval – Proposed Maplewood Site Condominium – South Side of South Boulevard, West of Rochester Road – Section 3, R-1C

Resolution #2005-05-232
Moved by Lambert
Seconded by Eisenbacher

RESOLVED, That the Final Plan be **APPROVED**, as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential Development) for the development of the One-Family Residential Site Condominium known as Maplewood Site Condominium, with fourteen (14) units, located south of South Boulevard and west of Rochester Road – Section 3, within the R-1C Zoning District and being 5.171 Acres in size.

Yes: All-7

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

Resolution #2005-05-233
Moved by Broomfield
Seconded by Stine

RESOLVED, That City Council **SUSPEND** Rules of Procedure for the City Council, Rule #26 - *Continued Agenda Items Not Considered Before 12:00 AM* and **AUTHORIZE** City Council to **EXTEND** the adjournment time to 12:30 AM.

Yes: All-7

F-8 Flags

Resolution #2005-05-234

Moved by Stine

Seconded by Schilling

RESOLVED, That the City Council hereby **APPROVES** flying the 50th Anniversary flag beneath the City flag on all flagpoles which currently fly a City flag.

Yes: All-7

F-9 Standard Purchasing Resolution 8: Best Value Process Award – Troy Daze Fireworks

Resolution #2005-05-235

Moved by Eisenbacher

Seconded by Lambert

RESOLVED, That a contract to provide three (3) year requirements of Fireworks Displays for the Magic of Fall/Troy Daze Festival for years 2005, 2006, and 2007 is hereby **AWARDED** to Mad Bomber Fireworks Productions of Kingsbury, IN, the highest scoring respondent as a result of a Best Value process, which the Troy City Council determines to be in the public interest for an estimated total cost of \$15,000.00, or \$5,000.00 per year; and

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

Yes: All-7

F-10 Sole Source – US Filter HRR Enhancer and Pulsar Plus Briquettes

Resolution #2005-05-236

Moved by Beltramini

Seconded by Lambert

WHEREAS, B&B Pools and Spas of Livonia, MI, is the authorized dealer/distributor in Michigan for Arch Chemical and US Filter pool products;

WHEREAS, Pulsar Plus manufactured by Arch and HRR Enhancer by US Filter are compatible with the ECS System installed at the Community Center Indoor Pool, which maintains proper chemical balance and ensures public health and safety;

WHEREAS, B&B Pools and Spas market their Pulsar products at dealer prices plus 25% and HRR Enhancer at trade prices.

NOW, THEREFORE, BE IT RESOLVED, That a contract to purchase both Pulsar Products and HRR Enhancer is hereby **APPROVED** with B&B Pools and Spas at dealer prices plus 25% and trade prices respectively for the Community Center Indoor Pool.

Yes: All-7

F-11 Bid Waiver – Workers’ Compensation Insurance Renewal for Fiscal Year 2005/2006

Resolution #2005-05-237

Moved by Stine

Seconded by Beltramini

WHEREAS, The Michigan Municipal League has provided Workers’ Compensation Insurance for the City of Troy and the premium charged has been equitable based on the City’s experience;

WHEREAS, It is desirable to continue the program through the Michigan Municipal League due to the positive experience of participating in the MML program.

NOW, THEREFORE, BE IT RESOLVED, That formal bidding procedures are hereby **WAIVED** and the net estimated premium cost of \$552,460.00 is hereby **APPROVED** for Workers’ Compensation Insurance through the MML for the 2005-2006 fiscal year with a resulting final estimated cost to the City of \$444,846.00 after applying a dividend distribution check in the amount of \$107,614.00.

Yes: All-7

F-12 Bid Waiver – Skate Park Equipment

Resolution #2005-05-238

Moved by Beltramini

Seconded by Broomfield

WHEREAS, On March 17, 2003, the Troy City Council awarded a contract to furnish and install skate park components to the lowest bidder meeting specifications, Rolar Property SVC, a general contractor, (Resolution #2003-03-142);

WHEREAS, Michigan Skate Parks, LLC, a sub-contractor on the project, provided and installed the equipment as the regional representative for Woodward Ramps and Rails/HUNA Designs;

WHEREAS, The existing equipment has performed well and it is beneficial from a maintenance standpoint to standardize the equipment within the site.

NOW, THEREFORE, BE IT RESOLVED, That formal bidding procedures are hereby **WAIVED** and the City of Troy is **AUTHORIZED** to purchase additional skate park components to complete the skate park at an estimated total cost of \$42,532.00, with \$16,820.00 funded through user and private contributions, \$20,000.00 funded through a Kmart Community Makeover Grant, and the remaining funds of an estimated \$5,712.00 provided by the City of Troy.

Yes: Lambert, Stine, Schilling, Beltramini, Broomfield, Howrylak

No: Eisenbacher

MOTION CARRIED

F-13 Petition Analysis, Paving of Tacoma SAD #05.202.01

a) Standard Resolution #1

Resolution #2005-05-239a

Moved by Beltramini

Seconded by Stine

RESOLVED, That Standard Resolution #1 is hereby **ADOPTED** to direct the preparation of plans and costs estimates for the Special Assessment to pay all or part of the cost of Asphalt Paving of Tacoma in Section 28, Project No. 05.202.1, all pursuant to Sections 1.1 and 1.2 of Chapter 5 of the Code of the City of Troy.

Yes: All-7

b) Standard Resolution #2

Resolution #2005-05-239b

Moved by Beltramini

Seconded by Stine

RESOLVED, That Standard Resolution #2 is hereby **ADOPTED** to approve plans and cost estimates for a Special Assessment to pay all or part of the cost of Asphalt Paving of Tacoma, in Section 28, Project No. 05.202.1, all pursuant to Sections 1.1 and 1.2 of Chapter 5 of the Code of the City of Troy:

Total Estimated Cost	\$328,000.00
Assessment (2,349.56 lf @ \$19.5781/lf.)	46,000.00
City's Share	282,000.00

BE IT FURTHER RESOLVED, That the City Assessor is hereby **ORDERED** and **DIRECTED** to prepare a Special Assessment Roll in accordance with Chapter 5 of the Code of the City of Troy.

Yes: All-7

c) Standard Resolution #3

Resolution #2005-05-239c

Moved by Beltramini

Seconded by Stine

RESOLVED, That Standard Resolution #3 is hereby **ADOPTED** to set a Public Hearing date on the Special Assessment roll for Asphalt Paving of Tacoma, in Section 28, Project No. 05.202.1, all pursuant to Chapter 5 of the Code of the City of Troy, with said Public Hearing to be established for June 6, 2005.

Yes: All-7

F-14 Petition Analysis, Paving of Olympia SAD #05.201.1

a) Standard Resolution #1

Resolution #2005-05-240a
 Moved by Lambert
 Seconded by Eisenbacher

RESOLVED, That Standard Resolution #1 is hereby **ADOPTED** to **DIRECT** the preparation of plans and costs estimates for the Special Assessment to pay all or part of the cost of Asphalt Paving of Olympia in Section 28, Project No. 05.201.1, all pursuant to Sections 1.1 and 1.2 of Chapter 5 of the Code of the City of Troy.

Yes: All-7

b) Standard Resolution #2

Resolution #2005-05-240b
 Moved by Lambert
 Seconded by Eisenbacher

RESOLVED, That Standard Resolution #2 is hereby **ADOPTED** to **APPROVE** plans and cost estimates for a Special Assessment to pay all or part of the cost of Asphalt Paving of Olympia, in Section 28, Project No. 05.201.1, all pursuant to Sections 1.1 and 1.2 of Chapter 5 of the Code of the City of Troy:

Total Estimated Cost	\$334,000.00
Assessment (2,094.92 lf @ \$21.9578/lf.)	46,000.00
City's Share	288,000.00

BE IT FURTHER RESOLVED, That the City Assessor is hereby **ORDERED** and **DIRECTED** to prepare a Special Assessment Roll in accordance with Chapter 5 of the Code of the City of Troy.

Yes: All-7

c) Standard Resolution #3

Resolution #2005-05-240c
 Moved by Lambert
 Seconded by Eisenbacher

RESOLVED, That Standard Resolution #3 be hereby **ADOPTED** to set a Public Hearing date on the Special Assessment roll for Asphalt Paving of Olympia, in Section 28, Project No. 05.201.1, all pursuant to Chapter 5 of the Code of the City of Troy, with said Public Hearing to be **ESTABLISHED** for June 6, 2005.

Yes: All-7

F-15 Charter Revisions – 2005 Proposed Charter Committee Referrals

Resolution #2005-05-241

Moved by Stine

Seconded by Lambert

RESOLVED, That the City Council hereby **DIRECTS** City Management to refer consideration of Charter amendment language, as proposed, to the Charter Revision Committee for placement on the ballot for the General Election scheduled for November 8, 2005.

Yes: All-7

MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

G-1 Announcement of Public Hearings:

- a) Commercial Vehicle Appeal, Renewal – 6881 Westaway - May 16, 2005
- b) Parking Variance – 3290 W. Big Beaver – May 16, 2005
- c) Rezoning Application – South Side of Henrietta Avenue, South of Big Beaver Road and East of Rochester Road, Section 27 – R-1E to P-1 (Z-695) – May 16, 2005
- d) Zoning Ordinance Text Amendment (ZOTA 2150-A) – Article 04.20.00 and Articles 40.55.00-40.59.00, Pertaining to Accessory Buildings Definitions and Provisions – May 16, 2005

Noted and Filed

G-2 Green Memorandums:

- a) Purchase of Jensen Property Sidwell #88-20-16-478-027
- b) Revisions to Chapter 97 and Chapter 60 of the Troy City Code

Noted and Filed

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

H-1 No Council Referrals advanced by City Council to the City Manager

COUNCIL COMMENTS:

REPORTS:

J-1 Minutes – Boards and Committees:

- a) Troy Local Development Finance Authority/Draft – June 29, 2004
- b) Brownfield Redevelopment Authority/Final – December 16, 2004
- c) Employees' Retirement System Board of Trustees-Amended/Final – February 9, 2005
- d) Troy Historic District Commission/Final – February 15, 2005
- e) Advisory Committee for Senior Citizen/Final – March 3, 2005
- f) Employees' Retirement System Board of Trustees/Final – March 9, 2005
- g) Liquor Advisory Committee/Final – March 14, 2005
- h) Board of Zoning Appeals/Final – March 15, 2005
- i) Troy Historic District Commission/Final – March 15, 2005
- j) Planning Commission Special-Joint Meeting/Draft – March 28, 2005
- k) Ethnic Issues Advisory Board/Draft – April 5, 2005
- l) Planning Commission Special Meeting/Draft – April 5, 2005
- m) Planning Commission Special-Study Meeting/Draft – April 5, 2005

- n) Building Code Board of Appeals/Draft – April 6, 2005
- o) Advisory Committee for Senior Citizens/Draft – April 7, 2005
- p) Liquor Advisory Committee/Draft – April 11, 2005
- q) Planning Commission Regular Meeting/Draft – April 12, 2005
- r) Employees' Retirement System Board of Trustees/Draft – April 13, 2005
- s) Troy Cable Advisory Committee/Draft – April 21, 2005
- t) Troy Daze Advisory Committee/Draft – April 26, 2005

Noted and Filed

J-2 Department Reports:

- a) Councilmember Beltramini's Travel Expense Report for the National League of Cities' "The Power of Democratic Governance" Conference
- b) Councilmember Beltramini's Report from "The Power of Democratic Governance" Conference
- c) Memorandum from City Management Answering Questions Raised by Council Members During the Budget Session
- d) Bidcorp On-Line Auction – Workstations – Parts/Fixtures – Unassembled and BidNet On-Line Auction – Monroe 3250 Detacher – Twenty-five (25) Computers – Two (2) Boxes of Cables and Modems – Final Reporting

Noted and Filed

J-3 Letters of Appreciation:

- a) Letter of Thanks to Officers Mark Cole and Rick Sewell from Leona L. Slone and Family
- b) Letter of Thanks to Officer Kaptur from the Troy Middle School Health Teachers
- c) Letter of Thanks to Detective James Mork from David J. Easterbrook
- d) Letter of Appreciation to Officers Scott LaMilza and Steve Zagacki from Lyn S. Visner
- e) Letter of Thanks to Detective James Mork from Rabbi Aaron Starr of Congregation Shir Tikvah
- f) Letter of Appreciation to the Troy Community Center From State Representative Robert Gosselin for the "Operation Kicks for Kids" Donation Drive
- g) Letter of Appreciation to Carol Anderson from Ryan Mandziara Regarding the Removal of Ash Trees
- h) Letter of Thanks to Detective James Mork from Schroeder Elementary School PTO President, Julie Papandrea

Noted and Filed

J-4 Proposed Proclamations/Resolutions from Other Organizations:

- a) Resolution from City of Royal Oak Calling on Governor Jennifer Granholm to Establish a Commission to Study the Financing of Health Care
- b) Resolution from City of Rochester Hills Supporting of Municipalities Maintaining Local Control of Liquor Licenses

Noted and Filed

J-5 Calendar

Noted and Filed

J-6 Troy Chamber Economic Development Master Plan

Noted and Filed

J-7 SAD Interest Rate

Noted and Filed

J-8 William Beaumont Research Study

Noted and Filed

J-9 Parks and Recreation Advisory Board Action on Budget

Noted and Filed

STUDY ITEMS:

K-1 No Study Items Submitted

PUBLIC COMMENT: Address of "K" Items

CLOSED SESSION:

L-1 Closed Session – No Closed Session Requested

The meeting **ADJOURNED** at 12:28 AM on Tuesday, May 10, 2005.

Louise E. Schilling, Mayor

Tonni L. Bartholomew, MMC
City Clerk