

Padma Kuppa, Outreach Chairperson from Bharatiya Temple 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, July 26, 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 (Absent)
 Martin Howrylak
 Mary Kerwin
 Maureen McGinnis
 Dane Slater

Vote on Resolution to Excuse Mayor Pro Tem Wade Fleming

Resolution #2010-07-162
 Moved by Beltramini
 Seconded by McGinnis

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of Mayor Pro Tem Wade Fleming at the Regular City Council Meeting of Monday, July 26, 2010 and the Closed Session of Monday, July 26, 2010 due to being out of the county.

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

MOTION CARRIED

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 Presentations:

- a) A legislative update was received from State Representative Marty Knollenberg – 41st District.
- b) A presentation from members of the Bharatiya Temple to promote their annual fun filled family event, the *Anand Bazaar*, on Sunday, August 1st from 11 AM - 7 PM.

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 No Public Hearings

F. PUBLIC COMMENT:

In accordance with the Rules of Procedure of the City Council, Article 16 –
Members of the Public and Visitors

James Savage
John Witt

Opposes SMART bus system as it currently exists
Opposes distracted driver ordinance

G. RESPONSE / REPLY TO PUBLIC COMMENT

Distracted Driver Ordinance – Presentation by Captain Mott and Lieutenant Livingston

H. POSTPONED ITEMS:

H-1 No Postponed Items

I. REGULAR BUSINESS:

I-1 **Appointments to Boards and Committees: None Scheduled**

a) **Mayoral Appointments: None Scheduled**

b) **City Council Appointments: None Scheduled**

I-2 **Nominations for Appointments to Boards and Committees:**

a) **Mayoral Nominations: None Scheduled**

b) **City Council Nominations: None Scheduled**

I-3 **Request for Closed Session – None Requested**

I-4 **Preliminary Site Plan Review – File Number SP 962 – InPro Insurance Group –
Section 24**

Resolution #2010-07-163

Moved by Kerwin

Seconded by Slater

RESOLVED, That Troy City Council hereby **GRANTS** Preliminary Site Plan Approval, as requested for the proposed InPro Insurance Group Office Building addition, located on the north side of Big Beaver, east of John R, in Section 24, within the O-1 Zoning District.

Yes: Howrylak, Kerwin, McGinnis, Slater, Schilling

No: Beltramini

Absent: Fleming

MOTION CARRIED

J. CONSENT AGENDA:

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

Resolution #2010-07-164-J-1a
Moved by Beltramini
Seconded by Kerwin

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

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

MOTION CARRIED

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

J-2 Approval of City Council Minutes

Resolution #2010-07-164-J-2

RESOLVED, That Troy City Council hereby **APPROVES** the Minutes of the 7:30 PM Regular City Council Meeting of July 12, 2010 as submitted.

J-3 Proposed City of Troy Proclamations: None Submitted

J-4 Standard Purchasing Resolutions:

- b) **Standard Purchasing Resolution 10: Travel Authorization and Approval to Expend Funds for Council Member Travel Expenses – Michigan Municipal League’s 112th Annual Convention – Dearborn, MI**

Resolution #2010-07-164-J-4b

RESOLVED, That Troy City Council members are hereby **AUTHORIZED** to attend the Michigan Municipal League’s 112th Annual Convention on September 21-24, 2010 in Dearborn, Michigan in accordance with accounting procedures of the City of Troy

- c) **Standard Purchasing Resolution 1: Award to Low Bidder Contract 10-1 Section 35 – Water Main Replacement**

Resolution #2010-07-164-J-4c

RESOLVED, That Troy City Council hereby **AWARDS** contract No. 10-1, Section 35 Water Main Replacement to Bricco Excavating Company, LLC, 21201 Meyers Road, Oak Park, MI 48237 at an estimated total cost of \$1,549,084.50; 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; and

BE IT FURTHER RSOLVED, That the Mayor and City Clerk are hereby **AUTHORIZED** to execute the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-5 Private Agreement for Our Credit Union

Resolution #2010-07-164-J-5

RESOLVED, That Troy City Council hereby **APPROVES** the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and GJ Perelli Company, for the installation of Water Main, Sanitary Manhole, Concrete Approach and Sidewalk, and Storm Water Pre-Treatment Structure, and the Mayor and City Clerk are hereby **AUTHORIZED** to execute the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-6 Chapter 106 – Traffic; “Driving While Distracted” Ordinance – “Drag Races Prohibited; “Drag Racing” Defined’ Violation Punishable as Misdemeanor”

Resolution #2010-07-164-J-6

RESOLVED, That Chapter 106 of the Code of the City of Troy be **AMENDED** to renumber Section 5.14d as reflected on the revised attached document, which shall be **ATTACHED** to the original Minutes of this meeting.

J-7 Bid Waiver – Police Gun Range Maintenance

Resolution #2010-07-164-J-7

WHEREAS, Meggitt Training Systems, Inc. is the sole known certified contractor in the area to maintain the equipment in the Troy Police department’s gun range;

WHEREAS, It is desirable, as well as cost effective to have the Police department train, qualify and practice on-duty during an officer’s normal shift without incurring overtime; and

WHEREAS, The Police department has entered an agreement with Sterling Heights Police department for the use of the range at a per annum fee of \$8,000.00, which covers the cost of additional maintenance;

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council hereby **WAIVES** formal bidding procedures and hereby **AUTHORIZES** the City of Troy to enter into a three-year

contract with Meggitt Training Systems, Inc. of Suwanee, GA, to maintain the gun range for the Troy Police department at an estimated total cost of \$14,355.00, plus repair parts needed outside of normal maintenance at an amount not-to-exceed \$2,000.00 per year, in accordance with their Agreement dated July 1, 2010, a copy of which shall be **ATTACHED** to the original Minutes of this meeting with a contract expiration of June 30, 2013.

J-8 Private Agreement for Kilmer PUD 10

Resolution #2010-07-164-J-8

RESOLVED, That Troy City Council hereby **APPROVES** the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and T.H. Marsh Construction Co., for the installation of sanitary sewer, storm sewer, water main, paving, soil erosion and landscaping 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.

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

J-4 Standard Purchasing Resolutions:**a) Standard Purchasing Resolution 1: Award to Low Bidder – Audio & Video Upgrades**

Resolution #2010-07-165
Moved by Beltramini
Seconded by McGinnis

RESOLVED, That Troy City Council hereby **AWARDS** a contract to furnish all equipment, material and labor to provide and install upgrades to the Audio and Video Systems in the Council Chambers and cable room in the Troy City Hall to the low bidder, Advanced Lighting and Sound of Troy, MI, for an estimated total cost of \$34,500.00 at prices contained in the bid tabulation opened July 8, 2010, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

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

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

MOTION PASSED

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings: None Submitted

K-2 Memorandums (Items submitted to City Council that may require consideration at some future point in time): None Submitted

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

L-1 No Council Referrals Advanced

M. COUNCIL COMMENTS

M-1 No Council Comments Advanced

Council Member Beltramini expressed concern about losing the community SMART credits applied to operating the Medi-Go services if the SMART millage fails.

Council Member McGinnis requested that future ordinance amendments be submitted first as a green agenda item prior to being submitted as a regular business item for City Council action.

Council Member Kerwin encouraged all voters to vote at the State Primary Election on Tuesday, August 3rd, 2010.

N. REPORTS

N-1 Minutes – Boards and Committees:

- a) Troy Historic Commission – Final – March 23, 2010
- b) Planning Commission Special/Study Meeting/Draft – June 22, 2010
- c) Planning Commission Special/Study Meeting/Final – June 22, 2010
Noted and Filed

N-2 Department Reports:

- a) Final Reporting – BidNet on-Line Auction Services – June 2010
Noted and Filed

N-3 Letters of Appreciation:

- a) Letter of Appreciation from Jerome Katz to John Szerlag Commending Pam Valentik for her Hard Work and Assistance at the MEGA Meeting
Noted and Filed

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

- a) Oakland County Board of Commissioners – Miscellaneous Resolution #10143 – Information Technology – Policy on Electronic Equipment Hard Drives to Protect Against Identity Theft
Noted and Filed

N-5 Proof of TIPS/TAMS Server Training

Noted and Filed

N-6 July 12, 2010 City Council Meeting – Public Comment – Maryann Bernardi
Noted and Filed

N-7 Motion Filed by Grand Sakwa Regarding Transit Center Property
Noted and Filed

N-8 July 12, 2010 City Council Meeting – Public Comment – James Savage
Noted and Filed

N-9 Act 164 Library – 11/02/10 General Election Ballot Question
Noted and Filed

O. STUDY ITEMS

O-1 Restructuring Committee Quarterly Report

P. CLOSED SESSION:

P-1 Closed Session – None Requested

Q. ADJOURNMENT

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

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

The meeting **ADJOURNED** at 9:38 PM.

Louise E. Schilling, Mayor

Barbara A. Pallotta, CMC
Deputy City Clerk