

Joe Maestro of Kensington Community Church 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, August 9, 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 AND SPECIAL PRESENTATIONS:**

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C-1 No Certificates of Recognition and Special Presentations Scheduled

#### **D. CARRYOVER ITEMS:**

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D-1 No Carryover Items

#### **E. PUBLIC HEARINGS:**

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E-1 No Public Hearings

#### **F. PUBLIC COMMENT:**

<b>William Wylonis</b>	Supports amending tax abatement policy
<b>John Ragan</b>	Supports the Troy Nature Center
<b>James Savage</b>	Discussed passage of Transit Authority ballot passage; Opposed to the Troy Birmingham Transit System
<b>Audre Zembrzuski</b>	Discussed transportation options for seniors; requested that phone numbers be posted on City's website

#### **G. RESPONSE / REPLY TO PUBLIC COMMENT**

#### **H. POSTPONED ITEMS:**

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H-1 No Postponed Items

#### **I. REGULAR BUSINESS:**

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I-1 Appointments to Boards and Committees:

- a) **Mayoral Appointments: None Scheduled**
- b) **City Council Appointments/Confirmation:**

Resolution #2010-08-166  
 Moved by Fleming  
 Seconded by Beltramini

RESOLVED, That Troy City Council hereby **CONFIRMS** the appointment of the following person to serve on the Boards and Committees as indicated:

**Building Code Board of Appeals**

Appointed by Council (5-Regular) 5-Year Term for 3 Residents: Background, training or experience in construction or similar trades; at least one shall be a professional structural or civil engineer of architectural engineering experience.

2 by Ordinance: City Manager and Oakland County Health Department Representative

**Teresa Brooks – Oakland County Health Department Rep.      **ORDINANCE****

Yes: All-7  
 No: None

**MOTION CARRIED**

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

- c) **Mayoral Nominations: None Scheduled**
- d) **City Council Nominations: None Scheduled**

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

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**I-4      Ratification of Industrial Development District Approved on October 19, 2009 at 1400 Rochester**

Resolution #2010-08-167  
 Moved by McGinnis  
 Seconded by Kerwin

RESOLVED, That Troy City Council hereby **ESTABLISHES** an Industrial Development District (IDD), and Plant Rehabilitation District (PRD) for property known as 1400 Rochester, Troy, MI. 48083-2854, Parcel #88-20-34-226-048, and #88-20-34-226-057, in accordance with City Council Policy Resolution #2009-02-042; and

BE IT FURTHER RESOLVED, That Troy City Council has **DETERMINED** that this district shall also be used for Plant Rehabilitation, and that **PROPERTY COMPRISING NOT LESS THAN 50%** of the State Equalized Value (SEV) within the District is **OBSOLETE**; and

BE IT FINALLY 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, Fleming, Kerwin, McGinnis, Slater, Schilling  
No: Howrylak

**MOTION CARRIED**

**J. CONSENT AGENDA:**

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

Resolution #2010-08-168  
Moved by Beltramini  
Seconded by Kerwin

RESOLVED, That Troy City Council hereby **APPROVES** all items on the Consent Agenda as presented.

Yes: All-7  
No: None

**MOTION CARRIED**

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

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

Resolution #2010-08-168-J-2

RESOLVED, That Troy City Council hereby **APPROVES** the Minutes of the 7:30 PM Regular City Council Meeting of July 26, 2010 as submitted.

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**J-3 Proposed City of Troy Proclamations: None Submitted**

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**J-4 Standard Purchasing Resolutions:**

**a) Standard Purchasing Resolution 3: Exercise Renewal Option – Home Chore Snow Removal Services**

Resolution #2010-08-168-J-4a

WHEREAS, On August 17, 2009, Troy City Council awarded a contract for seasonal requirements of snow removal services for Troy residents using the Home Chore Program with an option to renew for one (1) additional year to the low total bidders, MVP Environmental, LLC of Troy, as primary contractor and Brantley Development LLC of Westland, as secondary contractor, at unit prices contained in the bid tabulation opened July 21, 2009, a copy of which

shall be **ATTACHED** to the original Minutes of this meeting (Resolution #2009-08-251 F4a); and

WHEREAS, MVP Environmental, LLC has agreed to exercise the one-year option to renew their contract under the same pricing, terms and conditions;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **EXERCISES** the option to renew the contract with MVP Environmental, LLC of Troy to provide seasonal requirements of snow removal services for Troy residents using the Home Chore Program under the same prices, terms and conditions expiring May 1, 2011; and

BE IT FURTHER RESOLVED, That Troy City Council **SHALL NOT RENEW** the contract, which expired May 1, 2010, with Brantley Development LLC, as secondary contractor as their services were not needed last season.

b) **Standard Purchasing Resolution 3: Exercise Renewal Option – Ice Melt Compounds**

Resolution #2010-08- 168-J-4b

WHEREAS, On October 19, 2009, Troy City Council awarded a one-year contract to provide ice melt compounds with an option to renew for one (1) additional year to the low bidder, Washington Elevator Co, Inc. of Washington Twp, MI (Resolution #2009-10-312-F-4a); and

WHEREAS, Washington Elevator Co, Inc. has agreed to exercise the option to renew the contract for one (1) additional year under the same prices, terms, and conditions;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **EXERCISES** the option to renew the contract for ice melt compounds with Washington Elevator Co, Inc. of Washington Twp, MI, under the same terms and conditions at unit prices contained in the bid tabulation opened September 30, 2009, with a contract expiration of October 31, 2011.

c) **Standard Purchasing Resolution 3: Exercise Renewal Option – Uniform Rental Services**

Resolution #2010-08- 168-J-4c

WHEREAS, On November 24, 2008, Troy City Council awarded a two-year contract to provide uniform rental services for various City of Troy union employees with an option to renew for two additional years to the highest scoring respondent, Unifirst Corporation of Auburn Hills, MI, as a result of a best value process in cooperation with Oakland County, which the Troy City Council determines to be in the public interest (Resolution #2008-11-351-F-4c) and;

WHEREAS, Unifirst Corporation has agreed to exercise the option to renew the contract for two additional years under the same pricing, terms and conditions;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **EXERCISES** the two-year option to renew the contract to provide uniform rental services for various City of Troy union

employees with Unifirst Corporation of Auburn Hills at unit prices contained in the tabulation opened September 3, 2008, with the contract expiring October 31, 2012.

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**J-5 City of Troy v William H. Price**

Resolution #2010-08- 168-J-5

RESOLVED, That Troy City Council hereby **APPROVES** the proposed Consent Judgment in the condemnation case of *City of Troy v William H. Price, et al.*, (Oakland County Circuit Court Case No. 09-097977-CC); and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** payment in the amounts stated therein; and

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

**Vote on Resolution to Suspend Rules of Procedure for the City Council, Rule #6 – Order of Business**

Resolution #2010-08-169

Moved by Kerwin

Seconded by Fleming

RESOLVED, That Troy City Council hereby **SUSPENDS** Rules of Procedure for the City Council, Rule #6 Order of Business to take action on an item that does not appear on the Agenda.

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

No: Beltramini

**MOTION CARRIED****Vote on Resolution to Cancel the Monday, August 16, 2010 Regular City Council Meeting**

Resolution #2010-08-170

Moved by McGinnis

Seconded by Schilling

RESOLVED, That Troy City Council hereby **CANCELS** the Monday, August 16, 2010 Regular City Council Meeting.

Yes: None

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

**MOTION FAILED**

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


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

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**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**

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**L-1 Proposed Charter Amendment – Operation of City Owned Library – Submitted by Council Member Howrylak**

Resolution

Moved by Howrylak

Seconded by Fleming

RESOLVED, That Troy City Council hereby **REFERS** to the Charter Revision Committee a proposal to amend the City Charter to mandate a city owned and operated library; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **DIRECTS** the Charter Revision Committee to discuss the proposal, draft proposed ballot language and make a recommendation to the City Council no later than October 9, 2010.

**Vote on Resolution to Postpone Proposed Charter Amendment – Operation of City Owned Library – Submitted by Council Member Howrylak**

Resolution #2010-08-171

Moved by Slater

Seconded by Schilling

RESOLVED, That Troy City Council hereby **POSTPONES** *Proposed Charter Amendment – Operation of City Owned Library – Submitted by Council Member Howrylak* until after the November 2, 2010 General Election

Yes: McGinnis, Slater, Schilling

No: Beltramini, Fleming, Howrylak, Kerwin

**MOTION FAILED**

**Vote on Resolution for Proposed Charter Amendment – Operation of City Owned Library – Submitted by Council Member Howrylak**

Resolution #2010-08-172

Moved by Howrylak

Seconded by Fleming

RESOLVED, That Troy City Council hereby **REFERS** to the Charter Revision Committee a proposal to amend the City Charter to mandate a city owned and operated library; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **DIRECTS** the Charter Revision Committee to discuss the proposal, draft proposed ballot language and make a recommendation to the City Council no later than October 9, 2010.

Yes: Fleming, Howrylak

No: Slater, Schilling, Beltramini, Kerwin, McGinnis

**MOTION FAILED**

**M. COUNCIL COMMENTS**

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**M-1 Council Comments Advanced:**

Council Member Fleming stated he would not have supported the “Distracted Drivers Ordinance” had he been present when the ordinance came before City Council. Council Member Fleming requested a report as to how many citations are issued to drivers violating the Distracted Drivers ordinance.

City Manager Szerlag indicated that report will become available in January, 2011.

Council Member McGinnis disagreed with earlier comments made that City Council has done nothing to keep the Library open. Council Member McGinnis stated since she has been on City Council she and other Council Members have made many difficult budget decisions. Although their actions were not specific to the Library, she explained that they have spent many hours on reviewing the City’s overall operations, restructuring of the departments and finding ways to save money to keep the city operating.

Council Member Beltramini reported that the National League of City’s “Institute for Youth Education & Families” has published a new guide on getting authentic engagement from youth and suggested that it would be a good publication for Troy’s Youth Council to review.

Council Member Kerwin reported that the Troy Community Center hosted more than one hundred visitors last week to learn about sustainable gardening.

Council Member Howrylak clarified that his earlier comments were not about the budget but about the Library. He explained no proposals have been brought forward by City Council regarding options to keep the Library open.

Council Member Howrylak referenced a political event held at Fire Fighter’s Park over the past weekend and asked City Management to clarify the City’s policy regulating political organizations to place their campaign signs on city property.

City Manager Szerlag indicated that he will provide that information as a Report and Communication at the July 16, 2010 Regular City Council Meeting.

Mayor Schilling expressed her concern about the loss of the polling location for Precincts 4 and 9 due to the inappropriate behavior of candidates and their supporters.

Council Member Howrylak asked for the status of agenda item N-9 *Act 164 Library – 11/02/10 General Election Ballot Question*.

City Clerk Bartholomew responded that signatures for all petitions have been certified and forwarded to the Attorney General's Office, State Bureau of Elections and Oakland County Elections. She added that it appears that all four will appear on the November ballot.

## **N. REPORTS**

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### **N-1 Minutes – Boards and Committees:**

- a) Troy Historic District Commission/Final – May 18, 2010
- b) Board of Zoning Appeals/Draft – June 15, 2010
- c) Board of Zoning Appeals/Final – June 15, 2010
- d) Troy Historic District Commission/Final – June 16, 2010
- e) Employees' Retirement System Board of Trustees/Draft – July 14, 2010
- f) Special Joint Meeting of the City of Birmingham Planning Board and City of Troy Planning Commission – July 14, 2010

Noted and Filed

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### **N-2 Department Reports:**

- a) 2010 Mid-Year Calls for Police Service Report
- b) Economic Development Activity Report- July, 2010

Noted and Filed

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### **N-3 Letters of Appreciation:**

- a) Letter of Appreciation from Gordon Cameron to Tim Richnak Commending a DPW Employee for His Expedient Service
- b) Letter of Appreciation from Dan Smiley to Chief Gary Mayer Expressing his Appreciation for having the Opportunity to complete his Student Internship with the Police Department
- c) Congratulatory Letter to John Szerlag from State Senator John Pappageorge – District 13 for Receiving *AA Bond Rating* from Standard and Poor

Noted and Filed

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

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### **N-5 Report from John Ragan to Troy City Council Regarding Discussions with City of Troy and the Troy Nature Society**

Noted and Filed

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### **N-6 Complete Streets Legislation**

Noted and Filed

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### **N-7 Organizational Structure: Museum and Nature Center**

Noted and Filed

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**N-8 Precincts 4 and 10 Polling Location – St. Elizabeth Ann Seton Catholic Church**  
Noted and Filed

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

**O. STUDY ITEMS**

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**O-1 Niles Barnard House Relocation**

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**O-2 Tax Abatement Policy**

**P. CLOSED SESSION:**

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**P-1 Closed Session – *None Requested***

**Q. ADJOURNMENT**

The meeting **RECESSED** at 8:54 PM.

The meeting **RECONVENED** at 9:06 PM.

The meeting **ADJOURNED** at 9:45 PM.

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Louise E. Schilling, Mayor

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Tonni L. Bartholomew, MMC  
City Clerk