

Pastor Stephen Husava of Northfield Hills Baptist Church gave the Invocation. The Pledge of Allegiance to the Flag was given.

## **A. CALL TO ORDER:**

A Regular Meeting of the Troy City Council was held Monday, October 18, 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 Certificates of Recognition and Special Presentations Scheduled**

- a) A presentation was given awarding Susan Leirstein, Purchasing Director, and Julie Hamilton and Sumita Austen of the Purchasing Department its 8th *Achievement of Excellence in Procurement Award*.
- b) A legislative update was received from State Representative Marty Knollenberg, District 41.

## **D. CARRYOVER ITEMS:**

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### **D-1 No Carryover Items**

## **E. PUBLIC HEARINGS:**

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### **E-1 Community Development Block Grant - 2011 Application**

Mayor Schilling opened the public hearing.

Mayor Schilling closed the public hearing after receiving no comment from the public.

Resolution #2010-10-228

Moved by Beltramini

Seconded by Kerwin

WHEREAS, Oakland County is preparing an Annual Action Plan to meet application requirements for the Community Development Block Grant (CDBG) program, and other Community Planning and Development (CPD) programs;

WHEREAS, Oakland County has requested CDBG eligible projects from participating communities for inclusion in the Action Plan;

WHEREAS, The City of Troy has duly advertised and conducted a public hearing on October 18, 2010 for the purpose of receiving public comments regarding the proposed use of PY 2010 Community Development Block Grant funds (CDBG) in the approximate amount of \$173,970.00, and

WHEREAS, The City of Troy found that the following projects meet the federal objectives of the CDBG program and are prioritized by the community as high priority need:

<u>Account Number</u>	<u>Project Name</u>	<u>Amount</u>
172140-730789	General Program Administration	\$34,794.00
172160-732170	Public Services (Yard Services)	\$52,191.00
172170-731332	Parks-Recreational Facilities	\$86,985.00

THEREFORE, BE IT RESOLVED, The Troy City Council hereby **AUTHORIZES** the submittal of the CDBG application to Oakland County for inclusion in Oakland County's Annual Action Plan to the U.S. Department of Housing and Urban Development, and that the Mayor is hereby **AUTHORIZED** to **EXECUTE** all documents, agreements, or contracts which result from this application to Oakland County.

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

No: None

#### **MOTION CARRIED**

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

Resolution #2010-10-229

Moved by Schilling

Seconded by Kerwin

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

No: Fleming

#### **MOTION CARRIED**

#### **Vote on Resolution to Reduce Public Comment, Rule #16 – Members of the Public & Visitors**

Resolution #2010-10-230

Moved by Schilling

Seconded by Slater

RESOLVED, That Troy City Council hereby **REDUCES** Public Comment, Council Rule #16, *Members of the Public & Visitors*, from five minutes to three minutes at the request of the Chair and by majority vote of City Council members elect.

Yes: Kerwin, McGinnis, Slater, Schilling, Beltramini

No: Fleming, Howrylak

## MOTION CARRIED

### F. PUBLIC COMMENT:

**Neil Yashinsky:** Spoke in support of *Library Proposal I*.  
**Judy Baker:** Spoke in support of *Library Proposal I*.  
**Paul Beck:** Spoke in opposition of the Transit Center, city employee benefits and requested City Management to reevaluate their priorities based upon citizen  
**Julie Sigler:** Spoke in support of *Library Proposal I*.  
**Gordon Schepke:** Spoke in opposition of all library proposals; offered alternatives for funding the library.  
**Tony Cruz:** Supports keeping the library open; opposed to raising taxes.  
**Mike Choly:** Spoke in support of *Library Proposal I*; opposes other three library proposals.  
**Tim Burns: County Commissioner, District 19<sup>th</sup>** Discussed upcoming fundraising events in Oakland County; provided brief update regarding the County budget.  
**Gerard Staeger:** Supports library petition currently circulating; opposes all library ballot proposals.  
**Mary Ann Bernardi:** Supports keeping the Charter Revision Committee membership at seven.  
**Wayne Shu: Student** Spoke in support of keeping the library open.  
**Xiao Zhu: Student** Spoke in support of *Library Proposal I*.  
**Aaron Green:** Spoke in support of *Library Proposal I*.  
**Rhonda Hendrickson:** Provided clarification in response to remarks made by those opposed to the library proposals; spoke in support of *Library Proposal I*.  
**Kim Yanchyshyn:** Spoke in support of *Library Proposal I*.  
**Linda Kajma:** Spoke in support of *Library Proposal I*.  
**Jeanne Stine:** Spoke in support of *Library Proposal I*.  
**Sharon MacDonell:** Spoke in support of *Library Proposal I*.  
**Leonard Krause:** Supports keeping the library open.  
**Thomas Burke:** Spoke in opposition of all four library proposals.

### G. RESPONSE / REPLY TO PUBLIC COMMENT

The meeting **RECESSED** at 9:09 PM.

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

**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: None Scheduled

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

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I-3 Request for Closed Session – None Requested

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I-4 2011 City Council Meeting Schedule

Resolution #2010-10-231

Moved by Beltramini

Seconded by Kerwin

RESOLVED, That Troy City Council **SHALL HOLD** Regular Meetings in 2011 according to the following schedule at 7:30 PM:

Monday, January	10, 24 & 31
Monday, February	7, 21 & 28
Monday, March	7, 21 & 28
Monday, April	4 & 18
Monday, May	9 & 16
Monday, June	6 & 20
Monday, July	11 & 25
Monday, August	8, 22 & 29
Monday, September	12 & 26
Monday, October	3 & 17
Monday, November	14, 21 & 28
Monday, December	5 & 19

BE IT FURTHER RESOLVED, That Troy City Council **SHALL HOLD** Special Study Sessions for the purpose of budget discussions in 2011 according to the following schedule at 7:30 PM:

Monday, April	25
Monday, May	2

BE IT FURTHER RESOLVED, That Troy City Council **SHALL ADD** Regular Liquor Violation Hearing Meetings to the Regular Meeting schedule as appropriate; and

BE IT FINALLY RESOLVED, That Troy City Council **MAY SCHEDULE** other Special Meetings as needed.

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

**MOTION CARRIED****J. CONSENT AGENDA:**

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

Resolution #2010-10-232  
Moved by Kerwin  
Seconded by Slater

RESOLVED, That Troy City Council hereby **APPROVES** all items on the Consent Agenda as presented with the exception of Item J-04b, which **SHALL BE CONSIDERED** after Consent Agenda (I) items, as printed.

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

**MOTION CARRIED**

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

Resolution #2010-10-232-J-02

RESOLVED, That Troy City Council hereby **APPROVES** the Minutes of the Special and the 7:30 PM Regular City Council Meetings of October 11, 2010 as corrected.

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

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**J-4 Standard Purchasing Resolutions:****a) Standard Purchasing Resolution 2: Bid Award – Lowest Bidders Meeting Specifications Picnic Shelter and Swing Sets**

Resolution #2010-10-232-J-04

RESOLVED, That Troy City Council hereby **AWARDS** contracts to furnish new materials and components for an All Steel Picnic Shelter and two (2) Swings Sets to the lowest bidder meeting specifications for the shelter, Miracle Recreation of Michigan A Division of Miracle Recreation Equipment Company from Okemos, MI, for an estimated total cost of \$11,835.00; and the low total bidder for both swing sets, Sinclair Recreation of Holland, MI, for an estimated total cost of \$4,100.00, at unit prices contained in the bid tabulation opened September 30, 2010, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

**J-5 Sole Source – Recreation Equipment**

Resolution #2010-10-232-J-05

WHEREAS, Playworld Midstates of Holland, MI, is the sole distributor in the area for LifeTrail recreation equipment manufactured by Playworld Systems designed for active adults over fifty (50) years old; and

WHEREAS, LifeTrail equipment qualifies for purchase under the Community Development Block Grant Program and will be installed in Milverton Park within close proximity to the Troy American House senior complex;

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council hereby **WAIVES** formal bidding procedures and **AUTHORIZES** the purchase of LifeTrail recreation equipment from the sole area distributor, Playworld Midstates of Holland, MI, for an estimated total cost of \$24,770.00; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **AUTHORIZES** the installation of the LifeTrail recreation equipment in the City's newest park, Milverton Park utilizing Community Development Block Grant Funding.

**J-6 2010 Request to Waive Recapture Form**

Resolution #2010-10-232-J-06

WHEREAS, The U.S. Department of Housing and Urban Development (HUD) mandates that Community Development Block Grant (CDBG) balances not exceed 1.5 times the current program year allocation sixty (60) days prior to the end of the program year (February 28<sup>th</sup>);

WHEREAS, The Oakland County Board of Commissioners adopted a policy allowing communities to protect funds from their two most recent program years to help comply with this regulation;

WHEREAS, All unobligated 2008 and older funds are at risk of recapture December 31, 2010;

WHEREAS, The City of Troy may protect unobligated 2008 funds from recapture for one additional year by requesting a waiver; and

WHEREAS, A separate waiver request form must be submitted for each 2008 line item to the Manager of the Oakland County Community & Home Improvement Division no later than Monday, November 29, 2010;

NOW THEREFORE, BE IT RESOLVED, That Troy City Council hereby **REQUESTS** to waive recapture of 2008 CDBG funds as follows:

<u>Account Number</u>	<u>Project Name</u>	<u>Amount</u>
730744	Flood Drain Improvements	\$84,811.00
732170	Yard Services	\$71,010.00

**J-7 Troy Youth Assistance Proposed By-law Changes**

Resolution #2010-10-232-J-07

WHEREAS, The City of Troy is a sponsor of the Troy Youth Assistance (TYA);

WHEREAS, TYA's bylaws mandate that as a sponsor of TYA the City of Troy must approve proposed changes to TYA's bylaws before they are adopted; and

WHEREAS, That on October 18, 2010 TYA submitted to the Troy City Council proposed bylaw changes;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** Troy Youth Assistance's bylaw changes as revised and placed on the table.

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**J-1b Address of "I" Items Removed for Discussion by City Council****b) Standard Purchasing Resolution 1: Award to Low Bidder – Demolition of Buildings and Structures – 6675 John R**

Resolution #2010-10-233

Moved by Beltramini

Seconded by McGinnis

RESOLVED, That Troy City Council hereby **AWARDS** a contract to provide demolition of various buildings and structures including the above ground swimming pool at 6675 John R Road to the low bidder, S.A. Torello Demolition, Inc. of Port Huron, MI for an estimated total cost of \$12,387.00 as detailed in the bid tabulation opened on October 7, 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 properly executed bid and contract documents, including insurance certificates and all other specified requirements.

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

No: Howrylak

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

Resolution #2010-10-234

Moved by Schilling

Seconded by Kerwin

RESOLVED, That Troy City Council hereby **SUSPENDS** Rules of Procedure for the City Council, Rule #6 *Order of Business* to take action on agenda item N-5 *Memorandum from Community Affairs Director Regarding: Paint Creek Center for the Arts' Regional Arts Awards.*

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

No: None

**MOTION CARRIED**

**Resolution to Nominate The Image and Arts Council of Troy for the Paint Creek Center for the Arts' 2011 Regional Arts Awards**

Resolution

Moved by Schilling

Seconded by Kerwin

RESOLVED, That Troy City Council hereby **NOMINATES** *The Image and Arts Council of Troy* to represent the City of Troy in the Paint Creek Center for the Arts' 2011 Regional Arts Awards competition.

**Vote on Resolution to Postpone Nomination for the Paint Creek Center for the Arts' 2011 Regional Arts Awards**

Resolution #2010-10-235

Moved by Beltramini

Seconded by Kerwin

RESOLVED, That Troy City Council hereby **POSTPONES** their nomination for the Paint Creek Center for the Arts' 2011 Regional Arts Awards until the Monday, November 8, 2010 Regular City Council Meeting.

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

No: None

**MOTION CARRIED**

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

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**K-1 Announcement of Public Hearings: No Announcements Forwarded**

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**K-2 Memorandums (Items submitted to City Council that may require consideration at some future point in time): No Memorandums Forwarded**

**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**

**N. REPORTS**

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

- a) Civil Service Commission (Act 78)/Final – August 25, 2009
  - b) Historic Commission/Final – June 22, 2010
  - c) Planning Commission-Regular/Draft – September 14, 2010
  - d) Planning Commission-Regular/Final – September 14, 2010
  - e) Board of Zoning Appeals-Regular/Draft – September 21, 2010
  - f) Board of Zoning Appeals-Study/Draft – September 21, 2010
  - g) Planning Commission-Special-Study/Draft – September 28, 2010
  - h) Planning Commission-Special-Study/Final – September 28, 2010
- Noted and Filed

**N-2 Department Reports: None Forwarded**

**N-3 Letters of Appreciation:**

- a) Certificate of Appreciation Received from Dr. Ronny Otero, Chair for Supporting the *Tour de Ford* held on Sunday, September 12, 2010.
  - b) E-mail received from David and Beth Hamada to Carla Vaughan in Appreciation of the Troy Senior Garden.
  - c) Letter of Appreciation Received from Snehamay and Meena Khasnabis to the Troy Fire Department for the Help they Rendered in Fighting a Fire in their Home in May 2009.
- Noted and Filed

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

The meeting **RECESSED** at 9:59 PM.

The meeting **RECONVENED** at 10:09 PM in the Council Boardroom.

**O. STUDY ITEMS**

**O-1 Streamlining Boards and Committees**

As determined by a consensus of City Council members, City Management was directed to prepare appropriate agenda materials relative to boards and committees for the November 8, 2010 Regular City Council meeting as follows:

<b>BOARD / COMMITTEE:</b>	<b>CITY COUNCIL CONSENSUS:</b>
<b>Advisory Committee for Persons with Disabilities</b>	Dissolve; November agenda item regarding the possible formation of a <i>Lifetime Learning Committee</i>
<b>Advisory Committee for Senior Citizens</b>	
<b>Ethnic Issues Advisory Board</b>	
<b>Animal Control Appeal Board</b>	Investigate possibility of allocating

	duties to Board of Zoning Appeals
<b>Board of Canvassers</b>	Dissolve
<b>Board of Review</b>	Operate at status quo
<b>Board of Zoning Appeals</b>	Operate at status quo
<b>Brownfield Redevelopment Authority</b>	Operate at status quo
<b>Building Code Board of Appeals</b>	Operate at status quo
<b>Cable Advisory Committee</b>	Dissolve
<b>Charter Revision Committee</b>	Operate at status quo
<b>Civil Service Commission (Act 78)</b>	Operate at status quo
<b>Downtown Development Authority</b>	Operate at status quo
<b>Economic Development Corporation</b>	Operate at status quo
<b>Election Commission</b>	Operate at status quo
<b>Employee Retirement System Board of Trustees / Retiree Health Care Benefits Committee</b>	Operate at status quo
<b>Historical Commission</b>	Dissolve June 30, 2011
<b>Historic District Commission</b>	Operate at status quo
<b>Library Advisory Board</b>	Dissolve June 30, 2011
<b>Liquor Advisory Committee</b>	Operate at status quo
<b>Local Development Finance Authority</b>	Operate at status quo
<b>Municipal Building Authority</b>	Operate at status quo
<b>Parks and Recreation Board</b>	Quarterly meetings; ordinance amendment required to change membership
<b>Personnel Board</b>	Operate at status quo
<b>Planning Commission</b>	Operate at status quo
<b>Traffic Committee</b>	Meetings scheduled as needed
<b>Troy Daze Committee</b>	Dissolve
<b>Youth Council</b>	Dissolve

**CLOSED SESSION: None Requested**

## **P. ADJOURNMENT**

The meeting **ADJOURNED** at 11:24 PM.

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Louise E. Schilling, Mayor

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Tonni L. Bartholomew, MMC  
City Clerk