

Pastor Edward Petreaca of the Seventh Day Adventist 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, December 6, 2010, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:31 PM.

### B. ROLL CALL:

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

### C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

#### C-1 Certificates of Recognition and Special Presentations Scheduled

- a) On behalf of the City of Troy, Mayor Louise Schilling presented a proclamation honoring Judge Michael A. Martone.
- b) On behalf of Oakland County Sheriff, Michael Bouchard and the Oakland County Sheriff's Department, Captain Tim Atkins presented a *Certificate of Appreciation* in recognition of Judge Michael A. Martone.

### D. CARRYOVER ITEMS:

#### D-1 No Carryover Items

### E. PUBLIC HEARINGS:

#### E-1 Public Hearing for the Establishment of an Industrial Development District (IDD) for Silk Route Global, LLC at 950 Stephenson

The Mayor opened the public hearing after receiving comment from Ted Wilson, who spoke on behalf of the applicant; the Mayor closed the public hearing.

Resolution #2010-12-268  
 Moved by Beltramini  
 Seconded by Kerwin

RESOLVED, That Troy City Council hereby **ESTABLISHES** an Industrial Development District (IDD) for property known as 950 Stephenson, Troy, MI 48083-1172, Parcel # 88-20-35-126-018, in accordance with City Council Policy Resolution #2010-08-173; and

BE IT FURTHER RESOLVED, That the City Clerk shall **FORWARD** a copy of this resolution to the State Tax Commission, Treasury Building, P.O. Box 30471, Lansing, MI 48909-7971.

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

No: Howrylak

## MOTION CARRIED

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### E-2 Public Hearing for the Granting of an Industrial Facilities Exemption Certificate (IFEC) for Silk Route Global, LLC at 950 Stephenson

The Mayor opened and closed the public hearing after receiving no comment from the public.

Resolution #2010-12-269

Moved by Beltramini

Seconded by McGinnis

WHEREAS, After due notice and proper hearing, the City Council of the City of Troy on December 6, 2010, established an Industrial Development District (IDD) for property known as 950 Stephenson, Troy MI 48083-1172, Parcel # 88-20-35-126-018; and

WHEREAS, An Application has been submitted by Silk Route Global, LLC, for an Industrial Facilities Exemption Certificate (IFEC) for personal property at 950 Stephenson, Troy MI 48083-1172, for six (6) years, after completion; and

WHEREAS, After due and proper notice by the City Clerk, the City Council, on December 6, 2010, held a Public Hearing giving opportunity for comment by all taxing units as to the possibility that the granting of an Industrial Facilities Exemption Certificate (IFEC) for Silk Route Global, LLC, at 950 Stephenson, Troy MI 48083-1172 may have the effect of substantially impeding the operation of the taxing unit, or impairing the financial soundness of the taxing unit;

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council has **FOUND THAT THE GRANTING** of an Industrial Facilities Exemption Certificate (IFEC) for Silk Route Global, LLC, at 950 Stephenson, Troy MI 48083-1172 shall not substantially impede the operation of the City of Troy or the other taxing units, **NOR HAS IT BEEN FOUND THAT THE GRANTING** of the Industrial Facilities Exemption Certificate (IFEC) will impair the financial soundness of the City of Troy, or the other taxing units which levy taxes on said property; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** the application for an Industrial Facilities Exemption Certificate (IFEC) for Silk Route Global, LLC, Inc., at 950 Stephenson, Troy MI 48083-1172, Parcel # 88-20-35-126-018, for personal property for a term of six (6) years, after completion, **CONTINGENT** upon the execution of a Letter of Agreement between the City of Troy and Silk Route Global, LLC, and payment of the application fee established in accordance with Public Act 198 of 1974, as amended; and

BE IT FURTHER RESOLVED, That the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the Letter of Agreement between the City of Troy and Silk Route Global, LLC; a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

BE IT FINALLY RESOLVED, That the City Clerk is hereby **AUTHORIZED TO COMPLETE** the Application and **TRANSMIT** same 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**

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**E-3 Public Hearing for the Establishment of an Industrial Development District (IDD) for P3 North America, Inc., at 1957 Crooks**

The Mayor opened and closed the public hearing after receiving no comment from the public.

Resolution #2010-12-270  
Moved by Kerwin  
Seconded by Fleming

RESOLVED, That Troy City Council hereby **ESTABLISHES** an Industrial Development District (IDD) for property known as 1957 Crooks, Troy, MI 48084, Parcel # 88-20-29-426-042, in accordance with City Council Policy Resolution #2010-08-173; and

BE IT FURTHER RESOLVED, That the City Clerk shall **FORWARD** a copy of this resolution to the State Tax Commission, Treasury Building, P.O. Box 30471, Lansing, MI 48909-7971.

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

**MOTION CARRIED**

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**E-4 Public Hearing for the Granting of an Industrial Facilities Exemption Certificate (IFEC) for P3 North America, Inc., at 1957 Crooks, Suite B**

The Mayor opened and closed the public hearing after receiving no comment from the public.

Resolution #2010-12-271  
Moved by Kerwin  
Seconded by McGinnis

WHEREAS, After due notice and proper hearing, the City Council of the City of Troy on December 6, 2010, established an Industrial Development District (IDD) for property known as 1957 Crooks, Troy, MI 48084, Parcel # 88-20-29-426-042; and

WHEREAS, An Application has been submitted by P3 North America, Inc., for an Industrial Facilities Exemption Certificate (IFEC) for personal property at 1957 Crooks Ste B, Troy, MI 48084, for two (2) years, after completion; and

WHEREAS, After due and proper notice by the City Clerk, the City Council, on December 6, 2010, held a Public Hearing giving opportunity for comment by all taxing units as to the possibility that the granting of an Industrial Facilities Exemption Certificate (IFEC) for P3 North America, Inc., at 1957 Crooks Ste B, Troy, MI 48084 may have the effect of substantially impeding the operation of the taxing unit, or impairing the financial soundness of the taxing unit;

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council has **FOUND THAT THE GRANTING** of an Industrial Facilities Exemption Certificate (IFEC) for P3 North America, Inc., at 1957 Crooks Ste B, Troy, MI 48084 shall not substantially impede the operation of the City of Troy or the other taxing units, **NOR HAS IT BEEN FOUND THAT THE GRANTING** of the Industrial Facilities Exemption Certificate (IFEC) will impair the financial soundness of the City of Troy, or the other taxing units which levy taxes on said property; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** the application for an Industrial Facilities Exemption Certificate (IFEC) for P3 North America, Inc., at 1957 Crooks Ste B, Troy MI 48084, Parcel # 88-20-29-426-042, for personal property for a term of two (2) years, after completion, **CONTINGENT** upon the execution of a Letter of Agreement between the City of Troy and P3 North America, Inc., and payment of the application fee established in accordance with Public Act 198 of 1974, as amended; and

BE IT FURTHER RESOLVED, That the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the Letter of Agreement between the City of Troy and P3 North America, Inc.; a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

BE IT FINALLY RESOLVED, That the City Clerk is hereby **AUTHORIZED TO COMPLETE** the Application and **TRANSMIT** same to the State Tax Commission, Treasury Building, P.O. Box 30471, Lansing, MI 48909-7971

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

No: Howrylak

## MOTION CARRIED

### F. PUBLIC COMMENT:

- Janice Daniels:** Discussed various topics related to the library millage and the library petition.
- Nancy Gross:** Appreciated and read the response she received from Council Member McGinnis in regard to questions she raised at a previous City Council meeting.
- Scott Walker:** Discussed recent events which occurred at his home involving the police department.
- John Vert:** Requested that the Museum hours be re-evaluated to accommodate the public; supports police department.
- Marvin Reinhardt.:** Discussed various Troy blogs.
- Gordon Schepke:** Supports City Council and the public working together to keep the library open for the betterment of the city.
- Richard Peters:** Raised questions about the Beaumont parking lot; discussed various other national and international topics.
- Gerard Staeger:** Discussed the legalities associated with the IRS 501 (c)(3) designation of the *Friends of the Troy Public Library*; discussed recent action taken by the City Attorney regarding the recent filing of the library ordinance amendment petition.
- Kim Yanchyshyn:** Raised questions regarding the recent filing of the library ordinance amendment petition; supports the City Attorney's action to get a ruling

- before a decision is made in regard to the ordinance amendment petition.
- Edward Kempen:** Opposed to a special election; opposed to action taken by the City Attorney to get a ruling prior to City Council taking action on the recent filing of the library ordinance amendment petition; supports funding of library by any means possible.
- Tom Krent:** Restated his previous questions presented to Council Member Howrylak and requested clarification regarding the library proposal communication mailed by him prior to the November 2, 2010 election.
- Linda Kajma:** Discussed budgetary limitations related to keeping the library open; discussed concerns regarding the information being circulated by the members of *Troy Citizens United* and the library ordinance amendment petition.
- Thomas Burke:** Supports accuracy of tax information related to the library proposals contained in Council Member Howrylak’s communication mailed prior to the November 2, 2010; opposed to action taken by the city attorney to get a ruling prior to city council taking action on the recent filing of the library ordinance amendment petition.
- Sharon MacDonell:** Discussed the necessity of renewable revenue to maintain the library; discussed Charter limitations related to raising millage rates.
- Stephanie Dilworth:** Offered suggestions for keeping the library open.  
Student
- Audre Zembrzuski:** Discussed operating costs associated with keeping the library open; clarified that the *Library Advisory Board* does not make financial decisions in regard to library operations.
- Jack Witt:** Believes the city would be obligated to charge fair market value for library assets; discussed November election results as they pertain to the outcome of the library proposals; supports Council Member Howrylak’s November election communication associated with the library proposals; opposed to a special election; supports the library; opposed to tax increases.

The meeting **RECESSED** at 9:01PM.

The meeting **RECONVENED** at 9:13 PM

Mayor Schilling indicated there is a typographical error on the E-4 resolution. It is consensus of the City Council members to correct a typographical error in the resolution for agenda item E-4 *Public Hearing for the Granting of an Industrial Facilities Exemption Certificate (IFEC) for P3 North America, Inc., at 1957 Crooks, Suite B.*

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

## **H. POSTPONED ITEMS:**

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**H-1 No Postponed Items**

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**I. REGULAR BUSINESS:**

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**I-1 Appointments to Boards and Committees: None Scheduled****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 Scheduling of Closed Session**

Resolution #2010-12-272

Moved by Howrylak

Seconded by Slater

BE IT RESOLVED, That Troy City Council **SHALL MEET** in Closed Session, *Raquel Chidiac v. City of Troy et. al.* as permitted by MCL 15.268 (e), Pending Litigation.

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

No: None

**MOTION CARRIED**

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**I-4 Cancellation of December 20, 2010 Regular City Council Meeting**

Resolution #2010-12-273

Moved by McGinnis

Seconded by Schilling

RESOLVED, That the Troy City Council hereby **CANCELS** the Regular City Council meeting of December 20, 2010.

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

No: None

**MOTION CARRIED**

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**I-5 2010/11 Budget Amendment No. 1**

Resolution #2010-12-274

Moved by Kerwin

Seconded by Beltramini

RESOLVED, That Troy City Council hereby **APPROVES** the 2010/11 Budget Amendment No. 1 as submitted; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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

No: None

### MOTION CARRIED

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#### I-6 Bid Waiver – Michigan CAT Mini Excavator

Resolution #2010-12-275

Moved by Kerwin

Seconded by Beltramini

WHEREAS, Michigan CAT of Shelby Township has been providing for the rental of a CAT304CCR for the last seven (7) months to complete a manhole rebuilding project in the Southeastern Oakland County Sanitary Sewer District;

WHEREAS, It is desirable to continue to use the mini excavator to complete other rehabilitation projects in the Section 35 Water Main Replacement Project and the Evergreen – Farmington Sanitary Sewerage District; and

WHEREAS, Due to the excavator's ease of use and being less intrusive to the surrounding area, the timeframe to re-tap a resident's water service is shortened;

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council hereby **DEEMS** it to be in the City's best interest to **WAIVE** formal bidding procedures and **AUTHORIZE** the purchase of a CAT304CCR mini excavator from Michigan CAT of Shelby Township for an estimated total cost of \$46,303.88, which includes a discount of \$12,775.00 for rental payments made to date.

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

No: None

### MOTION CARRIED

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#### I-7 Agreement to Provide Fleet Maintenance Services – Cities of Rochester and Oak Park

##### a) Agreement to Provide Fleet Maintenance Services – City of Rochester

Resolution #2010-12-276a

Moved by Beltramini

Seconded by Fleming

RESOLVED, That Troy City Council hereby **APPROVES** the Interlocal Service Agreement for the City of Troy to provide fleet maintenance services to the City of Rochester; and  
BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the City Clerk and Mayor to **EXECUTE** the agreement; a copy of which shall be attached to the original Minutes of this meeting.

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

**MOTION CARRIED**

**b) Agreement to Provide Fleet Maintenance Services – City of Oak Park**

Resolution #2010-12-276b  
Moved by Beltramini  
Seconded by Fleming

RESOLVED, That Troy City Council hereby **APPROVES** the Interlocal Service Agreement for the City of Troy to provide fleet maintenance services to the City of Oak Park; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the City Clerk and Mayor to **EXECUTE** the agreement; a copy of which shall be attached to the original Minutes of this meeting.

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

**MOTION CARRIED**

**J. CONSENT AGENDA:**

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

Resolution #2010-12-277  
Moved by Howrylak  
Seconded by Fleming

RESOLVED, That Troy City Council hereby **APPROVES** all items on the Consent Agenda as presented with the exception of Items J-4c and J-4d, which **SHALL BE CONSIDERED** after Consent Agenda (I) items, as printed.

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

**MOTION CARRIED**

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

Resolution #2010-12-277-J-2

RESOLVED, That Troy City Council hereby **APPROVES** the Minutes of the Regular City Council Meeting of November 22, 2010 as submitted.

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**J-3 City of Troy Proclamation: *Proclamation to Honor Judge Michael A. Martone***

Resolution #2010-12-277-J-3

RESOLVED, That Troy City Council hereby **APPROVES** the City of Troy: *Proclamation to Honor Judge Michael A. Martone*.

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**J-4 Standard Purchasing Resolutions:****a) Standard Purchasing Resolution 3: Exercise Renewal Option – Home Chore Lawn and Yard Services**

Resolution #2010-12-277-J-4a

WHEREAS, On December 7, 2009, Troy City Council awarded contracts for seasonal requirements of Lawn and Yard Services for Troy residents using the Home Chore Program with an option to renew for one (1) additional year to the low total bidders, Green Meadows Lawnscape of Sterling Heights, as primary contractor, and Zimmerman Lawn and Snow of Roseville, as secondary contractor, at unit prices contained in the bid tabulation opened October 15, 2009; a copy of which shall be **ATTACHED** to the original Minutes of this meeting (Resolution #2009-12-368-I4a); and

WHEREAS, Green Meadows Lawnscape and Zimmerman Lawn and Snow have agreed to exercise the one-year option to renew their contracts under the same pricing, terms and conditions;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **EXERCISES** the option to renew the contracts with Green Meadows Lawnscape and Zimmerman Lawn and Snow to provide seasonal requirements of Lawn and Yard Services for Troy residents using the Home Chore Program under the same prices, terms and conditions as their original contracts to expire December 31, 2011.

**b) Standard Purchasing Resolution 2: Bid Award-Sole Bidder – Vehicle Wash Services**

Resolution #2010-12-277-J-4b

RESOLVED, That Troy City Council hereby **AWARDS** a two-year contract for exterior only Vehicle Wash Services with an option to renew for two additional years to the sole bidder, Pro Enterprise Inc, dba Pro Car Wash, for Items # 1 and #3 at unit prices contained in the bid tabulation opened November 10, 2010; a copy of which shall be **ATTACHED** to the original Minutes of this meeting for an estimated annual cost of \$14,526.00, to expire December 31<sup>st</sup>, 2012; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AWARDS** the contract **CONTINGENT ON** the contractor's submission of properly executed bid and proposal documents, including insurance certificates and all other specified requirements.

**J-5 Application to Transfer Interest and Location of MLCC Class C License No. 9432-2010 from Rockers, Inc. located at 1461 N. Perry, Pontiac, Michigan to Square Lake Diner, LLC to be located at 6024 Rochester Road, Troy, Michigan, pending final inspections**

**a) License Transfer**

Resolution #2010-12-277-J-5a

RESOLVED, That Troy City Council hereby **CONSIDERS FOR APPROVAL** Square Lake Diner, LLC to Transfer Interest and Location of MLCC Class C License No. 9432-2010 from Rockers, Inc. located at 1461 N. Perry, Pontiac, Michigan to Square Lake Diner, LLC to be located at 6024 Rochester Road, Troy, MI, Oakland County {MLCC Request #567112}, “above all others”; and hereby **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the document; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

**b) Agreement**

Resolution #2010-12-277-J-5b

WHEREAS, The Troy City Council deems it necessary to enter into agreements with applicants for liquor licenses for the purpose of providing civil remedies to the City of Troy in the event licensees fail to adhere to Troy Codes and Ordinances;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** an agreement with Square Lake Diner, LLC to Transfer Interest and Location of MLCC Class C License No. 9432-2010 from Rockers, Inc. located at 1461 N. Perry, Pontiac, Michigan to Square Lake Diner, LLC to be located at 6024 Rochester Road, Troy, MI, Oakland County {MLCC Request #567112}, and hereby **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the document; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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**J-6 Application for New SDM License with On Premise Seating for Target Corporation**

**a) License Transfer**

Resolution #2010-12-277-J-6a

RESOLVED, That Troy City Council hereby **CONSIDERS FOR APPROVAL** Target Corporation for a New SDM License with On Premise Seating, and new Direct-Connection-2 located at 1301 Coolidge Highway, Troy, MI 48084, Oakland County {MLCC Request #556906} “above all others”; and hereby **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the document; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

**b) Agreement**

Resolution #2010-12-277-J-6b

WHEREAS, The Troy City Council deems it necessary to enter into agreements with applicants for liquor licenses for the purpose of providing civil remedies to the City of Troy in the event licensees fail to adhere to Troy Codes and Ordinances;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** an agreement with Target Corporation for a New SDM license with On Premise Seating, and new Direct-Connection-2 located at 1301 Coolidge Highway, Troy, MI 48084, Oakland County {MLCC Request #556906} and hereby **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the document; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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**J-7 Application to Add Space (additional indoor seating) for RCSH, LLC (Ruth’s Chris Steak House)**

**a) Add Space (Additional Indoor Seating)**

Resolution #2010-12-277-J-7a

RESOLVED, That Troy City Council hereby **CONSIDERS FOR APPROVAL** RCSH (Ruth’s Chris Steak House) Operations, LLC to Add Space to 2009 Class C and SDM Licensed Business With Dance Permit located at 755 West Big Beaver Road, Suite 151, Troy, MI 48084, Oakland County {MLCC Request #530151}; and hereby **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the document; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

**b) Agreement**

Resolution #2010-12-277-J-7b

WHEREAS, The Troy City Council deems it necessary to enter into agreements with applicants for liquor licenses for the purpose of providing civil remedies to the City of Troy in the event licensees fail to adhere to Troy Codes and Ordinances;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** an agreement with RCSH (Ruth’s Chris Steak House) Operations, LLC to Add Space to 2009 Class C and SDM Licensed Business With Dance Permit located at 755 West Big Beaver Road, Suite 151, Troy, MI 48084, Oakland County {MLCC Request #530151} and hereby **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the document; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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**J-8 Application to Transfer Stock Interest for Macy’s Retail Holdings, Inc. – Somerset Mall**

**a) Transfer All Stock Interest**

Resolution #2010-12-277-J-8a

RESOLVED, That the request from Macy’s Retail Holdings, Inc. (A New York Corporation) to Transfer All Stock Interest In 2005 Licensing Year In 2010 Resort Class C Licensed Business

issued under MCL 436.1531(2), located at 2752 West Big Beaver Road, Troy, MI 48084, Oakland County, wherein sole stockholder, The May Department Stores Company (A Delaware Corporation) transfers 249,084,436 shares of stock to new stockholder, Milan Acquisition, LLC (A Delaware Limited Liability Company) formerly known as Milan Acquisition Corp. (A Delaware Corporation) through merger, on August 30, 2005; and by dropping Milan Acquisition Corp. (A Delaware Corporation) as stockholder through transfer of 249,084,436 shares of stock to new stockholder, Macy's Inc. (A Delaware Corporation) formerly known as Federated Department Stores, Inc. (A Delaware Corporation), on August 30, 2005 {MLCC Req. 322719} be **CONSIDERED FOR APPROVAL**; and

BE IT FURTHER RESOLVED, That it is the consensus of this legislative body that the application **BE RECOMMENDED** for issuance.

**b) Agreement**

Resolution #2010-12-277-J-8b

WHEREAS, The City Council of the City of Troy deems it necessary to enter agreements with applicants for liquor licenses for the purpose of providing civil remedies to the City of Troy in the event licensees fail to adhere to Troy Codes and Ordinances;

THEREFORE, BE IT RESOLVED, That the City Council of the City of Troy hereby APPROVES an agreement with Macy's Retail Holdings, Inc. (A New York Corporation) to Transfer All Stock Interest In 2005 Licensing Year In 2010 Resort Class C Licensed Business issued under MCL 436.1531(2), located at 2752 West Big Beaver Road, Troy, MI 48084, Oakland County, wherein sole stockholder, The May Department Stores Company (A Delaware Corporation) transfers 249,084,436 shares of stock to new stockholder, Milan Acquisition, LLC (A Delaware Limited Liability Company) formerly known as Milan Acquisition Corp. (A Delaware Corporation) through merger, on August 30, 2005; and by dropping Milan Acquisition Corp. (A Delaware Corporation) as stockholder through transfer of 249,084,436 shares of stock to new stockholder, Macy's Inc. (A Delaware Corporation) formerly known as Federated Department Stores, Inc. (A Delaware Corporation), on August 30, 2005 {MLCC Req. 322719}, and the Mayor and City Clerk are hereby **AUTHORIZED TO EXECUTE** the document; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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**J-9 Application to Transfer Stock Interest for Macy's Retail Holdings, Inc. – Oakland Mall**

**a) Transfer All Stock Interest**

Resolution #2010-12-277-J-9a

RESOLVED, That the request from Macy's Retail Holdings, Inc. (A New York Corporation) to Transfer All Stock Interest In 2005 Licensing Year In 2010 Class C Licensed Business, located at 500 West Fourteen Mile Road, Troy, MI 48084, Oakland County, wherein sole stockholder, The May Department Stores Company (A Delaware Corporation) transfers 249,084,436 shares of stock to new stockholder, Milan Acquisition, LLC (A Delaware Limited Liability Company) formerly known as Milan Acquisition Corp. (A Delaware Corporation) through merger, on August 30, 2005; and by dropping Milan Acquisition Corp. (A Delaware Corporation) as

stockholder through transfer of 249,084,436 shares of stock to new stockholder, Macy's Inc. (A Delaware Corporation) formerly known as Federated Department Stores, Inc. (A Delaware Corporation), on August 30, 2005 {MLCC Req. 322719} be **CONSIDERED FOR APPROVAL**; and

BE IT FURTHER RESOLVED, That it is the consensus of this legislative body that the application **BE RECOMMENDED** for issuance.

**b) Agreement**

Resolution #2010-12-277-J-9b

WHEREAS, The City Council of the City of Troy deems it necessary to enter agreements with applicants for liquor licenses for the purpose of providing civil remedies to the City of Troy in the event licensees fail to adhere to Troy Codes and Ordinances;

THEREFORE, BE IT RESOLVED, That the City Council of the City of Troy hereby **APPROVES** an agreement with Macy's Retail Holdings, Inc. (A New York Corporation) to Transfer All Stock Interest In 2005 Licensing Year In 2010 Class C Licensed Business, located at 500 West Fourteen Mile Road, Troy, MI 48084, Oakland County, wherein sole stockholder, The May Department Stores Company (A Delaware Corporation) transfers 249,084,436 shares of stock to new stockholder, Milan Acquisition, LLC (A Delaware Limited Liability Company) formerly known as Milan Acquisition Corp. (A Delaware Corporation) through merger, on August 30, 2005; and by dropping Milan Acquisition Corp. (A Delaware Corporation) as stockholder through transfer of 249,084,436 shares of stock to new stockholder, Macy's Inc. (A Delaware Corporation) formerly known as Federated Department Stores, Inc. (A Delaware Corporation), on August 30, 2005 {MLCC Req. 322719}, and the Mayor and City Clerk are hereby **AUTHORIZED TO EXECUTE** the document; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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**J-1b Address of "J" Items Removed for Discussion by City Council**

**c) Standard Purchasing Resolution 6: Grant Approval and Authorization to Expend City Funds – MMRMA Risk Avoidance Program Grant – TASER Purchase**

Resolution #2010-12-278

Moved by Slater

Seconded by Beltramini

RESOLVED, That the Troy City Council hereby **AUTHORIZES** the Troy Police Department to receive a Michigan Municipal Risk Management Authority (MMRMA) Risk Avoidance Program (RAP) Grant and **EXPEND** funds for the purchase of TASER equipment from the sole source provider, Michigan TASER Distributing, for an estimated total cost of \$41,483.37; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AMENDS** the Police department budget to receive the grant funding equal to 50% of the cost for thirty (30) TASERS and a training suit estimated at \$12,212.50.

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

No: Howrylak

#### **MOTION CARRIED**

#### **d) Standard Purchasing Resolution 3: Exercise Renewal Option – Snow Removal Services – Fire Stations and Training Center**

Resolution #2010-12-279

Moved by Howrylak

Seconded by Kerwin

WHEREAS, On January 25, 2010, Troy City Council awarded a contract for seasonal requirements of snow removal services for the City's Fire Stations and Police/Fire Training Center with an option to renew for two (2) additional seasons to the low bidder, Advanced Landscape & Builders Supply Co of Clawson, at unit prices contained in the bid tabulation opened December 21, 2009; a copy of which shall be **ATTACHED** to the original Minutes of this meeting (Resolution #2010-01-026 I-4b); and

WHEREAS, Advanced Landscape & Builders Supply Co has agreed to exercise first option to renew their contract under the same pricing, terms and conditions;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **EXERCISES** the first option to renew the contract with Advanced Landscape & Builders Supply Co of Clawson to provide seasonal requirements of snow removal services for the City's Fire Stations and Police/Fire Training Center under the same prices, terms and conditions expiring April 15, 2011.

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

No: None

#### **MOTION CARRIED**

#### **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):**

**a) Contract to Transfer Ownership and Responsibility – ALOeTERRA Solar House**

#### **L. COUNCIL REFERRALS:**

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**L-1 No Council Referrals Advanced**

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**M. COUNCIL COMMENTS**

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**M-1 Council Comments Advanced:**

Council Member Kerwin reported a blood drive is scheduled on Wednesday, December 29<sup>th</sup> and Thursday, December 30<sup>th</sup> from 9:00 AM until 3:00 PM at the Community Center. She added that appointments can be scheduled by contacting the Community Affairs Department at (248) 524-1147.

Council Member Kerwin reported that the Christmas tree lighting ceremony is scheduled for Wednesday, December 8<sup>th</sup> in front of City Hall at 7:00 PM.

**N. REPORTS**

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

- a) Board of Zoning Appeals/Final – October 19, 2010
  - b) Planning Commission/Draft – November 9, 2010
  - c) Planning Commission/Final – November 9, 2010  
Noted and Filed
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**N-2 Department Reports: None Submitted**

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**N-3 Letters of Appreciation:**

- a) Letter of Appreciation from Michelle Bray-Cotton, Thanking the Clerk’s Office for their Assistance in her Community Service Assignment  
Noted and Filed
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**N-4 Proposed Proclamations/Resolutions from Other Organizations: None Proposed**

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**N-5 Troy Youth Assistance Board of Directors Meeting Minutes – October 21, 2010**  
Noted and Filed**N-6 Communication: State of Michigan-Notice of Hearing for the Electric Customers of the Detroit Edison Company–Case No. U-15806**  
Noted and Filed**N-7 Memorandum: Niles-Barnard House Progress Report**  
Noted and Filed**N-8 Memorandum: City Council Filing Deadline New State Law Implication**  
Noted and Filed**N-9 Memorandum: Certification of Edward Kempen Citizen Initiative Petition – Addition to the Troy City Ordinance**  
Noted and Filed

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**N-10 Memorandum: Project Update – Zoning Ordinance Comprehensive Rewrite (File Number: Z-236)**

Noted and Filed

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**N-11 Memorandum: Response to Council Member Mary Kerwin’s Inquiries About Generally Accepted Accounting Principles as Related to Salaries and Fringe Benefits**

Noted and Filed

The meeting **RECESSED** at 10:11 PM.

The meeting **RECONVENED** at 10:18 PM.

## **O. STUDY ITEMS**

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### **O-1 Snow and Ice Control Policy**

Resolution #2010-12-280

Moved by Slater

Seconded by Beltramini

WHEREAS, Continuing reductions in the taxable value of real estate are adversely affecting the City of Troy’s operating revenues; and

WHEREAS, This reduction means significant reduced revenues for fiscal years 2011, 2012, and 2013; and

WHEREAS, Economic uncertainty demands that the City of Troy government reduce operational expenses while improving efficiency and effectiveness; and

WHEREAS, The City of Troy adopted a three-year budget which eliminates the funds for the 2011/12 Winter Maintenance Agreement between the Road Commission for Oakland County (RCOC) and the City of Troy for snow and ice control for the following Priority I and Priority II County roads:

- Adams
- Big Beaver
- Crooks
- Dequindre
- John R
- Livernois
- Long Lake
- Maple
- South Boulevard ; and

WHEREAS, The Streets and Drains Division of the Department of Public Works will lose ten employees in the 2011/12 budget;

WHEREAS, Historic City of Troy snow and ice control procedures provided for a high level of service which ensured clearing to bare pavement within 24 hours after a four-inch snow event on City and RCOC major roads;

WHEREAS, The RCOC standards for snow and ice control for RCOC major roads ensure that roads are treated within two to four days after a four-inch snow event, but this does not mean plowed to bare pavement;

WHEREAS, On October 4, 2010 the Troy City Council approved the 2010/11 Winter Maintenance Agreement between the RCOC and the City of Troy for snow and ice control of the Priority I and Priority II County roads listed above;

WHEREAS, Application of the City of Troy snow and ice control procedures and the RCOC would create a problematic situation if City of Troy local roads are cleared before the RCOC major roads are cleared of snow and ice; and

WHEREAS, City Management recommends that the snow and ice control procedures be amended to provide a uniform level of service to City of Troy and RCOC major roads;

THEREFORE, BE IT RESOLVED, That the Troy City Council hereby **AUTHORIZES** the Department of Public Works to amend the City of Troy snow and ice control procedures to provide season long uniform level service to the City of Troy roads and RCOC major roads, specifically clearing all roads within 72 hours after a four inch snow event.

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

No: None

#### **MOTION CARRIED**

#### **Vote on Resolution to Postpone Agenda Item O-2 Goals and Objectives**

Resolution #2010-12-281

Moved by Kerwin

Seconded by Beltramini

RESOLVED, That Troy City Council hereby **POSTPONES** agenda study item O-2 *Goals and Objectives* until the Monday, December 13, 2010 Regular City Council meeting; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **DIRECTS** City Management to list postponed agenda study item O-2 *Goals and Objectives* under O. STUDY ITEMS.

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

No: None

#### **MOTION CARRIED**

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#### **O-2 Goals and Objectives**

The meeting **RECESSED** at 11:00 PM.

The meeting **RECONVENED** at 11:01 PM.

**P. CLOSED SESSION:**

P-1 Raquel Chidiac v. City of Troy et. al.

**Q. ADJOURNMENT**

The meeting **ADJOURNED** at 11:05 PM.

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Louise E. Schilling, Mayor

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Tonni L. Bartholomew, MMC  
City Clerk