

Pastor Dan Lewis of Troy Christian Chapel 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, January 10, 2011, 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
 Wade Fleming
 Martin Howrylak
 Mayor Pro Tem Mary Kerwin
 Maureen McGinnis
 Dane Slater

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 No Certificates of Recognition and Special Presentations

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 No Public Hearings

F. PUBLIC COMMENT:

Robert Arking: Discussed public sector employees vs. private sector employees.
Paul Beck: Discussed comments made at a previous City Council Meeting.
Dan Brake: Various topics related to the Library issue.
Richard Peters: Various topics related to national and local issues.
 I-5 Troy Historical Society Request for "Seed Money" and J-5 Michigan
James Savage: Association of Home Builders, et. al. v. City of Troy
Michelle Lackocy: Discussed City's budget and the Library.

G. RESPONSE / REPLY TO PUBLIC COMMENT

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

Resolution #2011-01-001
 Moved by Beltramini
 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: Schilling, Beltramini, Fleming, Howrylak, Kerwin, McGinnis, Slater
No: None

MOTION CARRIED

Vote on Resolution to Direct City Management to Provide a Report in Response to Public Comment Questions

Resolution #2011-01-002
Moved by Beltramini
Seconded Fleming

RESOLVED, That Troy City Council hereby **DIRECTS** City Management to provide a report to Council outlining the budgetary savings that could be realized with City Hall being open to the public 40-hours per week over a period of time to be less than 5-days per week.

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

MOTION CARRIED

H. POSTPONED ITEMS:

H-1 No Postponed Items

I. REGULAR BUSINESS:

I-1 No Board and Committee Appointments

I-2 No Board and Committee Nominations

I-3 No Request for Closed Session

I-4 Bid Waiver: Integrated Security Management System Expansion Project

Resolution #2011-01-003
Moved by McGinnis
Seconded by Kerwin

WHEREAS, SimplexGrinnell is an authorized, licensed installer in Michigan of the Andover Controls security system;

WHEREAS, It is desirable that the same security system installed at various municipal facilities throughout the City of Troy be expanded at the Troy Family Aquatic Center and the Fire-Police Training facility;

WHEREAS, The Police Department has remote access to monitor video and alarms at all facilities from a central location with compatible equipment and software; and

WHEREAS, Due to the complexity of the system, it is desirable to allow the company who programmed and currently maintains the system to expand the application, thus avoiding corruption of the programming;

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 contract with SimplexGrinnell of Farmington Hills, MI, for labor and materials to expand the Integrated Security Management System for an estimated total cost of \$35,257.00, in accordance with their proposals dated 16-Nov-10 and 27-Dec-10, copies of which shall be **ATTACHED** to the original Minutes of this meeting.

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

No: None

MOTION CARRIED

I-5 Troy Historical Society Request for “Seed Money”

Resolution #2011-01-004

Moved by Beltramini

Seconded by Fleming

a) Troy Historical Society Letter of Agreement

RESOLVED, That the Troy City Council hereby **SUPPORTS** the concepts of a potential agreement between the City of Troy and the Troy Historical Society, a not-for-profit corporation, to assume operational management of the Troy Museum & Historic Village, and hereby **DIRECTS** City Management to prepare a formal Letter of Agreement for presentation to City Council no later than February 28, 2011.

and

b) Troy Historical Society Seed Money

RESOLVED, That the Troy City Council hereby **GRANTS** “seed money” not to exceed \$50,000.00 to the Troy Historical Society, a not-for-profit corporation, with the funds to be used to retain consultants and equipment to assist their efforts to improve the Museum’s programmatic and fiscal sustainability; and

BE IT FURTHER RESOLVED, That the Troy Historical Society will **PROVIDE** necessary funds in excess of \$50,000.00.

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

No: None

MOTION CARRIED

J. CONSENT AGENDA:

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

Resolution #2011-01-005
Moved by McGinnis
Seconded by Slater

RESOLVED, That Troy City Council hereby **APPROVES** all items on the Consent Agenda as presented with the exception of Item J-5, which **SHALL BE CONSIDERED** after Consent Agenda items, as printed.

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

MOTION CARRIED

J-2 Approval of City Council Minutes

Resolution #2011-01-005-J-2

RESOLVED, That Troy City Council hereby **APPROVES** the Minutes of the Regular City Council Meeting of December 13, 2010 as submitted.

J-3 Proposed City of Troy Proclamations: None Submitted

J-4 Standard Purchasing Resolutions**a) Standard Purchasing Resolution 4: Cooperative Programs - Server Upgrade and SAN Expansion Project**

Resolution #2011-01-005-J-4a

WHEREAS, The Police and Fire Departments’ utilization of digital technology in day-to-day operations continues to grow, and

WHEREAS, Six (6) servers are at or near their end of life and need to be replaced by utilizing server virtualization uploaded on two physical servers with the ability to run up to twenty “virtual” servers, which will reduce operating and hardware purchase costs over time;

NOW, THEREFORE, BE IT RESOLED, That the Troy City Council hereby **APPROVES** contracts to purchase hardware and software from approved cooperative programs at estimated costs of \$72,200.00 per Attachment A; and recurring costs estimated at \$3,925.00 per year.

b) Standard Purchasing Resolution 1: Award to Low Bidder – Sidewalk Replacement and Installation Program

Resolution #2011-01-005-J-4b

RESOLVED, That Troy City Council hereby **AWARDS** a contract to complete the Sidewalk Replacement and Installation Program for FY 2010/11 with options to renew for two additional one-year periods to the low total bidder, Rotondo Construction, Co of Farmington Hills, MI, at unit prices contained in the bid tabulation opened November 23, 2010, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, the cost of which shall not exceed budgetary limitations; and

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

J-6 Removal of Overhead “Keep Right” Sign – Square Lake Road, East of Crooks Road

Resolution #2011-01-005-J-6

RESOLVED, That the Troy City Council hereby **APPROVES** the Road Commission for Oakland County agreement for the removal of the overhead “Keep Right” sign located on Square Lake Road, east of Crooks Road at no cost to the City of Troy, and **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-7 Scheduling of Public Hearing on January 31, 2011 for Community Development Block Grant (CDBG) Program Years 2008 and 2009 Reprogramming of Funds

Resolution #2011-01-005-J-7

Reconsidered: January 11, 2011 Res #2011-01-012

RESOLVED, That the Troy City Council hereby **SCHEDULES** a Public Hearing on January 31, 2011 at 7:30 PM, or as soon thereafter as possible, for the purpose of hearing public comments on reprogramming 2008 and 2009 Community Development Block Grant (CDBG) funds to the Section 36 Park Project.

J-8 David J. Smith v. Troy Police Officer Gregory Stopczynski

Resolution #2011-01-005-J-8

RESOLVED, That the Troy City Council hereby **AUTHORIZES** and **DIRECTS** the City Attorney to represent Troy Police Officer Gregory Stopczynski and the City of Troy in any and all claims and damages in the matter of *David J. Smith v. Officer Gregory Stopczynski* (52-4th District court Case No. 2010-C03095-GC); furthermore, the City Attorney is authorized to pay necessary costs and expenses and to retain any necessary expert witnesses to adequately represent the City’s interest.

J-9 Application for New SDM License for Picano Restaurant, Inc.

a) New License

Resolution #2011-01-005-J-9a

RESOLVED, That the Troy City Council hereby **CONSIDERS** for **APPROVAL** Picano Restaurant, Inc. for a New SDM License to be held in conjunction with a 2010 Class C licensed business with Dance Permit located at 3775 Rochester Road, Troy, MI 48084 Oakland County {MLCC Req. #564371} “above all others”; and hereby **AUTHORIZES** the Chief of Police to **EXECUTE** the document, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

b) Agreement

Resolution #2011-01-005-J-9b

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;

NOW, THEREFORE, BE IT RESOLVED, That the Troy City Council hereby **APPROVES** an agreement with Picano Restaurant, Inc. for a New SDM License to be held in conjunction with a 2010 Class C licensed business with Dance Permit located at 3775 Rochester Road, Troy, MI 48084, Oakland County {MLCC Req. #564371} and hereby **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the agreement, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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

J-5 Michigan Association of Home Builders, et. al. v. City of Troy

Resolution #2011-01-006

Moved by Kerwin

Seconded by Slater

RESOLVED, That the Troy City Council hereby **AUTHORIZES** and **DIRECTS** the City Attorney to represent the City of Troy in any and all claims and damages in the matter of *Michigan Association of Home Builders; Associated Builders and Contractors of Michigan; and Michigan Plumbing and Mechanical Contractors Association, Michigan Non-Profit Corporations v. City of Troy*; furthermore, the City Attorney is **AUTHORIZED** to pay necessary costs and expenses and to retain any necessary expert witnesses to adequately represent the City.

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

No: None

MOTION CARRIED

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

Resolution #2011-01-007

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 items that do not appear on the Agenda.

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

MOTION CARRIED

Vote on Resolution to Cancel Special City Council Meetings of January 17 and January 24, 2011

Resolution #2011-01-008
Moved by Kerwin
Seconded by Beltramini

RESOLVED, That Troy City Council hereby **CANCELS** the City Council Special Meetings of January 17 and January 24, 2011.

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

MOTION CARRIED

Vote on Resolution to Schedule a Special Meeting - Purpose of Reviewing the ICMA Report

Resolution #2011-01-009
Moved by Kerwin
Seconded by Slater

RESOLVED, That Troy City Council hereby **SCHEDULES** a Special Meeting for January 31, 2011 at 6:00 PM in the Council Boardroom of Troy City Hall, 500 W. Big Beaver, Troy, MI 48084 for the purpose of reviewing the *ICMA Report*.

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

MOTION CARRIED

Vote on Resolution to Cancel Regular Meeting of January 31, 2011

Resolution #2011-01-010
Moved by Beltramini
Seconded by Howrylak

RESOLVED, That Troy City Council hereby **CANCELS** the Regular Meeting of January 31, 2011.

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

No: None

MOTION CARRIED

Vote on Resolution to Schedule a Special Meeting - Purpose of Revising 2011 Budget and Future Budget's Priorities

Resolution #2011-01-011

Moved by Fleming

Seconded by Beltramini

RESOLVED, That Troy City Council hereby **SCHEDULES** a Special Meeting for February 7, 2011 immediately following the Regular City Council Meeting in the Council Boardroom for the purpose of revising the 2011 budget and future year's budgets priorities.

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

No: None

MOTION CARRIED

Vote on Resolution to Reconsider J-7 Scheduling of Public Hearing on January 31, 2011 for Community Development Block Grant (CDBG) Program Years 2008 and 2009 Reprogramming of Funds - Resolution #2011-01-005-J-7

Resolution #2011-01-012

Moved by Schilling

Seconded by Kerwin

RESOLVED, That Troy City Council hereby **RECONSIDERS** J-7 Scheduling of Public Hearing on January 31, 2011 for Community Development Block Grant (CDBG) Program Years 2008 and 2009 Reprogramming of Funds as it appears below:

Resolution #2011-01-005-J-7

Moved by McGinnis

Seconded by Slater

*RESOLVED, That the Troy City Council hereby **SCHEDULES** a Public Hearing on January 31, 2011 at 7:30 PM, or as soon thereafter as possible, for the purpose of hearing public comments on reprogramming 2008 and 2009 Community Development Block Grant (CDBG) funds to the Section 36 Park Project.*

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

No: None

MOTION CARRIED

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

MOTION CARRIED

Vote on Resolution to Amend Reconsidered Resolution J-7 Scheduling of Public Hearing on January 31, 2011 for Community Development Block Grant (CDBG) Program Years 2008 and 2009 Reprogramming of Funds - Resolution #2011-01-005-J-7

Resolution #2011-01-013
Moved by Howrylak
Seconded by McGinnis

RESOLVED, That Troy City Council hereby **AMENDS** Reconsidered Resolution J-7 *Scheduling of Public Hearing on January 31, 2011 for Community Development Block Grant (CDBG) Program Years 2008 and 2009 Reprogramming of Funds - Resolution #2011-01-005-J-7* by **STRIKING** “January 31, 2011” and **INSERTING** “February 7, 2011”.

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

MOTION CARRIED

Council Consensus of Reconsidered Resolution-J-7 Scheduling of Public Hearing on January 31, 2011 for Community Development Block Grant (CDBG) Program Years 2008 and 2009 Reprogramming of Funds - Resolution #2011-01-005-J-7 as Amended

Resolution #2011-01-005-J-7
Moved by McGinnis
Seconded by Slater

RESOLVED, That the Troy City Council hereby **SCHEDULES** a Public Hearing on February 7, 2011 at 7:30 PM, or as soon thereafter as possible, for the purpose of hearing public comments on reprogramming 2008 and 2009 Community Development Block Grant (CDBG) funds to the Section 36 Park Project.

There was a consensus of City Council Members present to amend Reconsidered Resolution #2011-01-005-J-7.

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 No Announcement of Public Hearings

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:

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

- a) Downtown Development Authority/Draft – August 18, 2010
- b) Downtown Development Authority/Draft – September 15, 2010
- c) Planning Commission Special-Study/Final – October 26, 2010
- d) Liquor Advisory Committee/Final – November 8, 2010
- e) Employees' Retirement System Board of Trustees/Final – November 10, 2010
- f) Board of Zoning Appeals/Draft, November 16, 2010
- g) Board of Zoning Appeals/Final, November 16, 2010
- h) Planning Commission Special-Study/Final – November 23, 2010
- i) Liquor Advisory Committee/Draft – December 13, 2010

Noted and Filed

N-2 Department Reports:

- a) Council Member Beltramini Travel Expense Report – National League of Cities Congress of Cities in Denver, CO on November 30 through December 5, 2010
- b) 2010 Fourth Quarter Litigation Report
- c) City Council Expense Report – Month of January 2011

Noted and Filed

N-3 Letters of Appreciation:

- a) Letter of Appreciation from Zora Hargrave to Carla Vaughan, Thank You for Allowing the Continuation of Senior Activities
- b) Letter of Appreciation from Patricia R. Rosen, Executive Director, Care House of Oakland County, to Police Chief Gary Mayer, Thank You to Terry Colussi, Pat Glasysz and Troy Command Officers Association for Donations for Children of CARE House of Oakland County
- c) Letter of Appreciation from Major Richard Amion, Miami-Dade Police Department, to Police Chief Gary Mayer, Recognizing Efforts of Lt. Bjork, P.O. Piltz, P.O. Garcher, P.O. Brazel, P.O. Huck, CS Jelley, CS Strasz, PSA Sherlinck in Recovery of a Juvenile

Noted and Filed

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

N-5 House Bill No. 6572 – Construction Zone Property Tax Relief Bill, aka “Adverse Construction Specific Tax Act”

Noted and Filed

N-6 Snow and Ice Control – January 6, 2011

Noted and Filed

N-7 RCOC Snow and Ice Control Contract Expense Report – January 1, 2011

Noted and Filed

The meeting **RECESSED** at 8:58 PM.

The meeting **RECONVENED** at 9:08 PM.

O. STUDY ITEMS

O-1 Update on Billy Casper Golf

P. CLOSED SESSION:

P-1 No Closed Session Requested

Q. ADJOURNMENT

The meeting **ADJOURNED** at 9:25 PM.

Louise E. Schilling, Mayor

Tonni L. Bartholomew, MMC
City Clerk