

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, January 24, 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 Certificates of Recognition and Special Presentations - None Scheduled

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 Public Hearing for the Establishment of an Industrial Development District (IDD) and Plant Rehabilitation District (PRD) for Meritor Heavy Vehicles, LLC – 2135 W. Maple

The Mayor opened the Public Hearing for public comment.

The Mayor closed the Public Hearing after receiving no comment from the public.

Resolution #2011-01-006

Moved by Kerwin

Seconded by Beltramini

RESOLVED, That Troy City Council hereby **ESTABLISHES** an Industrial Development District (IDD), and Plant Rehabilitation District (PRD) for property known as 2135 W. Maple, Troy, MI 48084, Parcel #88-20-32-126-035, in accordance with City Council Policy Resolution #2010-08-173; 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: Schilling, Beltramini, Fleming, Kerwin, McGinnis, Slater

No: Howrylak

MOTION CARRIED

E-2 Public Hearing for the Establishment of an Industrial Facilities Exemption Certificate (IFEC) for Meritor Heavy Vehicles, LLC – 2135 W. Maple

The Mayor opened the Public Hearing for public comment.

The Mayor closed the Public Hearing after receiving no comment from the public.

Resolution #2011-01-007

Moved by Beltramini

Seconded by Fleming

WHEREAS, After due notice and proper hearing, the City Council of the City of Troy on January 24, 2011, established an Industrial Development District (IDD) for property known as 2135 W. Maple, Troy, MI 48084, Parcel # 88-20-32-126-035;

WHEREAS, An Application has been submitted by Meritor Heavy Vehicles, LLC, for an Industrial Facilities Exemption Certificate (IFEC) for personal property at 2135 W. Maple, Troy, MI 48084, for twelve (12) years, after completion; and

WHEREAS, After due and proper notice by the City Clerk, the City Council, on January 24, 2011, 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 Meritor Heavy Vehicles, LLC, at 2135 W. Maple, 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 hereby **FOUND** that the granting of an Industrial Facilities Exemption Certificate (IFEC) for Meritor Heavy Vehicles, LLC, at 2135 W. Maple, 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 Meritor Heavy Vehicles, LLC, Inc., at 2135 W. Maple, Troy, MI 48084, Parcel # 88-20-32-126-035, for personal property for a term of twelve (12) years, after completion, contingent upon the execution of a Letter of Agreement between the City of Troy and Meritor Heavy Vehicles, 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 hereby **AUTHORIZED** to execute the Letter of Agreement between the City of Troy and Meritor Heavy Vehicles, 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

E-3 Public Hearing for the Establishment of an Industrial Facilities Exemption Certificate (IFEC) for Plant Rehabilitation, for Meritor Heavy Vehicles, LLC – 2135 W. Maple

The Mayor opened the Public Hearing for public comment.

The Mayor closed the Public Hearing after receiving no comment from the public.

Resolution #2011-01-008

Moved by Slater

Seconded by McGinnis

WHEREAS, After due notice and proper hearing, the City Council of the City of Troy on January 24, 2011, established a Plant Rehabilitation District (PRD) for property known as 2135 W. Maple, Troy, MI 48084, Parcel # 88-20-32-126-035;

WHEREAS, An Application has been submitted by Meritor Heavy Vehicles, LLC, for an Industrial Facilities Exemption Certificate (IFEC) for Plant Rehabilitation, for real property at 2135 W. Maple, Troy, MI 48084, for twelve (12) years after completion; and

WHEREAS, After due an proper notice by the City Clerk, the City Council, on January 24, 2011, held a Public Hearing giving opportunity for comment by all taxing units as to the possibility that the granting of a Industrial Facilities Exemption Certificate (IFEC) for Plant Rehabilitation, for Meritor Heavy Vehicles, LLC, at 2135 W. Maple, 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 hereby **FOUND** that the granting of a Industrial Facilities Exemption Certificate (IFEC) for Plant Rehabilitation, for Meritor Heavy Vehicles, LLC, at 2135 W. Maple, 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) for Plant Rehabilitation, 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 a Industrial Facilities Exemption Certificate (IFEC) for Plant Rehabilitation, for Meritor Heavy

Vehicles, LLC, Inc., at 2135 W. Maple, Troy, MI 48084, Parcel # 88-20-32-126-035, for real property for a term of twelve (12) years after completion, contingent upon the execution of a Letter of Agreement between the City of Troy and Meritor Heavy Vehicles, LLC, and in accordance with Public Act 198 of 1974, as amended; and

BE IT FURTHER RESOLVED, That the Mayor and City Clerk are hereby **AUTHORIZED** to execute the Letter of Agreement between the City of Troy and Meritor Heavy Vehicles, 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: Fleming, Kerwin, McGinnis, Slater, Schilling, Beltramini

No: Howrylak

MOTION CARRIED

F. PUBLIC COMMENT:

- Janice Daniels:** Discussed options to view City Council meetings; public comment; agenda items E-1, E-2 and E-3; the City Charter and the Library petition initiative.
- Richard Peters:** Discussed topics related to local and national issues.
- James Savage:** Discussed G. *Response / Reply to Public Comment* and his comments at a previous City Council meeting.
- Thomas Burke:** Discussed the Library petition initiative.
- Dan Brake:** Discussed the City Charter as it relates to the Library petition initiative.
- Steve Toth:** Distributed Boys & Girls Club Newsletter, *The Difference*; invited the public to attend the Boys & Girls Club's annual *Taste of Troy* fundraising event.

G. RESPONSE / REPLY TO PUBLIC COMMENT

H. POSTPONED ITEMS:

H-1 No Postponed Items

I. REGULAR BUSINESS:

I-1 Board and Committee Appointments: None Scheduled

I-2 Board and Committee Nominations:

a) Mayor Nominations

Resolution #2011-01-009

Moved by Schilling

Seconded by Howrylak

RESOLVED, That the Mayor of the City of Troy hereby **FORWARDS** the following nominated person(s) to serve on the Boards and Committees as indicated to the next Regular City Council Meeting for action:

Board of Review

Appointed by Mayor (3-Regular) 3-Year Term

Eileen (Nora) Turner

Term Expires 01/31/2014

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

No: None

MOTION CARRIED

b) City Council Nominations

Resolution #2011-01-010

Moved by Beltramini

Seconded by Howrylak

RESOLVED, That Troy City Council hereby **FORWARDS** the following nominated person(s) to serve on the Boards and Committees as indicated to the next Regular City Council Meeting for action:

Board of Zoning Appeals

Appointed by Council (7-Regular) 3-Year Term

Thomas Strat – Planning Commission Rep*

Term Expires 01/31/2012

Philip Sanzica – Planning Commission Alt. Rep*

Term Expires 01/31/2012

***Recommendation made by Planning Commission at their Tuesday, January 11, 2011 meeting**

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

No: None

MOTION CARRIED

I-3 Closed Session - *Troy v. Sentry, Inc. (Pro Car Wash)*

Resolution #2011-01-011

Moved by Howrylak

Seconded by McGinnis

BE IT RESOLVED, That Troy City Council **SHALL MEET** in Closed Session, *Troy v. Sentry, Inc. (Pro Car Wash)* as permitted by MCL15.268 (e), Pending Litigation.

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

No: None

MOTION CARRIED

I-4 Application for New Class C Quota Liquor License – Troy Parks and Recreation Department – Troy Community Center**a) Application for New Class C Quota License for City of Troy Parks and Recreation Department – Troy Community Center**

Resolution #2011-01-012a

Moved by Beltramini

Seconded by Fleming

RESOLVED, That the Troy City Council hereby **CONSIDERS** for **APPROVAL** a Class C Quota License for the City of Troy, Parks and Recreation Department, to be located at 3179 Livernois, Troy MI 48084, Oakland County (Troy Community Center) “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) License Escrow

Resolution #2011-01-012b

Moved by Beltramini

Seconded by Fleming

RESOLVED, That the City of Troy Parks and Recreation Department is hereby **DIRECTED** to place the new Class C Quota License into Escrow until such time as a catering vendor is under agreement and has been granted a license transfer.

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

No: Howrylak

MOTION CARRIED**J. CONSENT AGENDA:**

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

Resolution #2011-01-013

Moved by Kerwin

Seconded by McGinnis

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

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

No: None

MOTION CARRIED

J-2 Approval of City Council Minutes

Resolution #2011-01-013-J-2

RESOLVED, That Troy City Council hereby **APPROVES** the Minutes of the Regular City Council Meeting of January 10, 2011 as submitted.

J-3 Proposed City of Troy Proclamations: None Submitted**J-4 Standard Purchasing Resolutions****a. Standard Purchasing Resolution 3: Exercise Renewal Option – Vehicle Graphics**

Resolution #2011-01-013-J-4a

WHEREAS, On March 23, 2009, Troy City Council awarded a two-year contract for the installation and/or purchase of vehicle graphic material for Police, Fire and Fleet departments with an option to renew for two (2) additional years to the lowest acceptable total bidder, Majik Graphics, Inc. of Clinton Township, MI at unit prices contained in the bid tabulation opened February 11, 2009 (Resolution #2009-03-105-F-4f); and

WHEREAS, Majik Graphics, Inc. has agreed to exercise the two-year option to renew the 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 Majik Graphics, Inc. of Clinton Township, MI, to provide two-year requirements to install and/or purchase vehicle graphic material for the Police, Fire, and Fleet departments under the same prices, terms and conditions expiring March 31, 2013.

b. Standard Purchasing Resolution 1: Award to Low Bidder: Newtek Tricaster TCXD850 Live Production Switcher System Including Installation

Resolution #2011-01-013-J-4b

RESOLVED, That Troy City Council hereby **AWARDS** a contract to purchase and install one (1) new Newtek Tricaster TCXD850 Live Production Switcher to the low bidder, Midwest Media Group, Inc. of Arlington Heights, IL, for an estimated total cost of \$24,995.00, which includes on-site training, one-year full warranty, and on-site support for the first scheduled meeting after the initial installation, plus any additional technical support required during the first sixty (60) days of operation at \$45.00/man-hour; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AWARDS** a contract to purchase and install one (1) new Newtek Tricaster TCXD850 Live Production Switcher to the low bidder, Midwest Media Group, Inc. of Arlington Heights, IL, **CONTINGENT** upon contractor's submission of properly executed bid and contract documents, including insurance certificates and all other specified requirements.

c. **Standard Purchasing Resolution 10: Travel Authorization and Approval to Expend Funds for Council Member Travel Expenses – Michigan Municipal League 2011 Capital Conference**

Resolution #2011-01-013-J-4c

RESOLVED, That Troy City Council hereby **AUTHORIZES** City Council members to attend the Michigan Municipal League 2011 Capital Conference from April 5-6, 2011 in Lansing, Michigan, in accordance with accounting procedures of the City of Troy.

J-5 Approval of Payment of Albanna Relocation Claim – Rochester Road Improvement Project, Torpey to Barclay, Project No. 99.203.5 & Wattles Road Improvements, Bristol to Worthington, Project No. 01.106.5 Parcel 19 – Sidwell #88-20-23-100-044

Resolution #2011-01-013-J-5

RESOLVED, That Troy City Council hereby **APPROVES** the Relocation Claim from Afrah Albanna pertaining to the City of Troy's acquisition of property at 3990 Rochester Road as required by Michigan Laws and Federal Regulations; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** payment in the amount of \$20,000.00.

J-6 Oakland County Inter-Local Agreement – Ballot Layout and Programming Services

Resolution #2011-01-013-J-6

RESOLVED, That Troy City Council hereby **APPROVES** an Inter-Local Agreement between the City of Troy and Oakland County for ballot layout and programming services at a fee of \$300.00 per election and **AUTHORIZES** the Mayor and City Clerk to sign 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-4 Standard Purchasing Resolutions

d. **Standard Purchasing Resolution 10: Travel Authorization and Approval to Expend Funds for Council Member Travel Expenses – National League of Cities' 2011 Congressional City Conference**

Resolution #2011-01-014

Moved by Beltramini

Seconded by McGinnis

RESOLVED, That Troy City Council hereby **AUTHORIZES** City Council members to attend the National League of Cities' 2011 Congressional City Conference from March 12-16, 2011 in Washington, DC, in accordance with accounting procedures of the City of Troy.

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

No: None

MOTION CARRIED

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings: None Submitted

K-2 Memorandums (Items submitted to City Council that may require consideration at some future point in time):

a) Contract Extension – Auditing Services

L. COUNCIL REFERRALS:

L-1 No Council Referrals Advanced

M. COUNCIL COMMENTS

M-1 Council Comments Advanced:

Mayor Schilling discussed agenda item N-8 Memorandum: *Update on Employee Concessions – Classified and Exempt Employees*.

Council Member McGinnis discussed agenda items: N-6 *Troy City Council – Vision/Goals – Draft*; N-7 *Memorandum: Report on January Troy City Manager’s Roundtable Meeting*; N-8 *Memorandum: Update on Employee Concessions – Classified and Exempt Employees*; N-10 *Memorandum: Library Update*.

Council Member Beltramini discussed agenda item N-10 *Memorandum: Library Update*.

Council Member Kerwin discussed agenda item N-10 *Memorandum: Library Update* and requested that the information be made available to the public on the Library’s webpage.

Discussion took place at the table regarding agenda item N-6 *Troy City Council – Vision/Goals – Draft*. Council Members suggested several revisions and were in agreement that the document needs further review before finalizing. There was a consensus of City Council to direct City Management to provide City Council with an updated version of *Troy City Council – Vision/Goals* in their FYI packet on Friday, January 28th, for City Council to review the revisions, provide feedback to City Management on Monday, January 31st and be slated as an agenda item for the February 7th City Council meeting.

Council Member Howrylak made a statement to clarify public comments made at the January 10, 2011 City Council meeting in regard to employee compensation.

Mayor Schilling left the meeting at 9:18 PM.

N. REPORTS

N-1 Minutes – Boards and Committees:

- a) Retiree Health Care Benefits Plan & Trust/Final – October 13, 2010
- b) Library Advisory Board/Final – November 4, 2010
- c) Employees' Retirement System Board of Trustees/Final December 8, 2010
- d) Planning Commission Regular/Draft – December 14, 2010
- e) Planning Commission Regular/Final – December 14, 2010
- f) Board of Zoning Appeals/Draft – December 21, 2010
- g) Planning Commission Regular/Draft – January 11, 2011
- h) Library Advisory Board/Draft – January 13, 2011
Noted and Filed

N-2 Department Reports:

- a) Permits Issued December 2010
Noted and Filed

N-3 Letters of Appreciation:

- a) Letter of Appreciation from Marco Signorello to Police Chief Gary Mayer Recognizing Police Officer Mairorano
Noted and Filed

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

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- N-5 Communication: Liquor Control Commission – Permit Authorizing to Sell Spirits, Mixed Spirit Drink and/or Beer and Wine on Sunday**
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- Noted and Filed

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- N-6 Troy City Council – Vision/Goals – Draft**
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- Noted and Filed

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- N-7 Memorandum: Report on January Troy City Manager's Roundtable Meeting**
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- Noted and Filed

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- N-8 Memorandum: Update on Employee Concessions – Classified and Exempt Employees**
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- Noted and Filed

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- N-9 Letter of Resignation from City Clerk Tonni Bartholomew from the Federal Election Assistance Commission Standards Board to Secretary of State Ruth Johnson**
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- Noted and Filed

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- N-10 Memorandum: Library Update**
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- Noted and Filed

N-11 Memorandum: Utility Cost Savings by Shutting Down City Hall One Day per Week, on Fridays

Noted and Filed

O. STUDY ITEMS

O-1 No Study Items Presented

The meeting **RECESSED** at 9:19 PM.

Mayor Schilling returned.

The meeting **RECONVENED** at 9:23 PM.

P. CLOSED SESSION:

P-1 Troy v. Sentry, Inc. (Pro Car Wash)

ADJOURNMENT

The meeting **ADJOURNED** at 9:30 PM.

Louise E. Schilling, Mayor

Tonni L. Bartholomew, MMC
City Clerk