

Mayor Pro Tem Kerwin 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, February 21, 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:

- a) On behalf of the City of Troy Employees' Casual for a Cause Program for the months of November & December 2010, Community Affairs Director Cindy Stewart presented a check in the amount of \$1,079.00 to Leonette Ciepielowski, Troy Youth Assistance Board Chairperson.
- b) The Michigan Association of Chiefs of Police *MACP Award* was accepted by Lieutenant Dave Livingston on behalf of the Troy Police Department; Jim Santilli from TIA spoke in regard to distracted driving.

D. CARRYOVER ITEMS:

D-1 No Carryover Items

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

Resolution #2011-02-031
 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: Schilling, Beltramini, Fleming, Howrylak, Kerwin, McGinnis, Slater
 No: None

MOTION CARRIED

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

Resolution #2011-02-032

Moved by Schilling

Seconded by Kerwin

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: Beltramini, Kerwin, McGinnis, Slater, Schilling

No: Fleming, Howrylak

MOTION CARRIED**E. PUBLIC HEARINGS:**

E-1 None Scheduled

F. PUBLIC COMMENT:

| | |
|----------------------------|---|
| Rob Carrigan | Commented on H-1; opposes millage increase |
| Irv Wengrow | Commented on H-1; supports millage increase to save library |
| Josh Keagle | Commented on H-1; supports millage increase to save library |
| Deborah DeBacker | Snow complaint; commented on H-1; opposes millage increase |
| Sandra Burgess | Supports library |
| John Ragan | Commented on I-6; requests explanations of revenue estimates |
| Gordon Schepke | Supports distracted driving ordinance; commented on H-1; opposes millage increase |
| Marvin Reinhardt | Various topics |
| Richard Peters | Various topics |
| Sharon MacDonell | Supports library |
| Fred Eckhout | Opposes city employee benefits |
| James Savage | Commented on H-2; opposes millage increase |
| Jean Ross | Supports library |
| Linda Kajma | Supports library |
| Edna Abraham | Supports library |
| Dan Brake | Opposes millage increase |
| Christine Hill | Encourages residents to ask questions |
| Neil Yashinsky | Supports library |
| Charlene Femminineo | Opposes millage increase |

G. RESPONSE / REPLY TO PUBLIC COMMENT

Council Member Kerwin responded to the concern that Civic Center property was plowed first by saying it is for the ability of Police to respond to emergency calls.

H. POSTPONED ITEMS:**H-1 Resolution Submitted by Council Member Howrylak at the February 7, 2011 Regular City Council Meeting**

Resolution
Moved by Howrylak
Seconded by Fleming

WHEREAS, The City of Troy has an additional \$1.7 million in unallocated fund reserves resulting from the 2009-2010 fiscal year's financial performance;

WHEREAS, The City of Troy's Employees Retirement System realized an investment gain of \$14.7 million for the year ending December 31, 2009 that is being amortized and will save the City of Troy significant contributions going forward;

WHEREAS, The City of Troy's Employees Retirement System realized significant investment gains for the year ending December 31, 2010 that will be amortized and will save the City of Troy significant contribution requirements going forward;

WHEREAS, The City of Troy is aiming for and achieving 10-15% labor and benefit cost savings across all employee groups; and

WHEREAS, The City of Troy has operated a free public library for the benefit of all for over forty years and there is a great need in the community for continuation of these services;

THEREFORE, BE IT RESOLVED, That the City Manager is hereby **DIRECTED** to draft an amended and revised multi-year budget that incorporates these cost savings and uses these funding sources to provide for and fund the Troy Public Library; and

BE IT FURTHER RESOLVED, That this amended multi-year budget be brought back to the City Council no later than February 21, 2011.

Vote on Resolution to Amend Agenda Item H-1 Resolution Submitted by Council Member Howrylak at the February 7, 2011 Regular City Council Meeting

Resolution #2011-02-033
Moved by Howrylak
Seconded by Fleming

RESOLVED, That Troy City Council hereby **AMENDS** the resolution for agenda item *H-1 Resolution Submitted by Council Member Howrylak at the February 7, 2011 Regular City Council Meeting* to read March 21, 2011.

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

MOTION FAILED

Vote on Resolution Submitted by Council Member Howrylak at the February 7, 2011 Regular City Council Meeting

Resolution #2011-02-034

Moved by Howrylak

Seconded by Fleming

WHEREAS, The City of Troy has an additional \$1.7 million in unallocated fund reserves resulting from the 2009-2010 fiscal year's financial performance;

WHEREAS, The City of Troy's Employees Retirement System realized an investment gain of \$14.7 million for the year ending December 31, 2009 that is being amortized and will save the City of Troy significant contributions going forward;

WHEREAS, The City of Troy's Employees Retirement System realized significant investment gains for the year ending December 31, 2010 that will be amortized and will save the City of Troy significant contribution requirements going forward;

WHEREAS, The City of Troy is aiming for and achieving 10-15% labor and benefit cost savings across all employee groups; and

WHEREAS, The City of Troy has operated a free public library for the benefit of all for over forty years and there is a great need in the community for continuation of these services;

THEREFORE, BE IT RESOLVED, That the City Manager is hereby **DIRECTED** to draft an amended and revised multi-year budget that incorporates these cost savings and uses these funding sources to provide for and fund the Troy Public Library; and

BE IT FURTHER RESOLVED, That this amended multi-year budget be brought back to the City Council no later than February 21, 2011.

Yes: Howrylak, Fleming

No: Kerwin, McGinnis, Slater, Schilling, Beltramini

MOTION FAILED

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

Resolution #2011-02-035

Moved by Kerwin

Seconded by Beltramini

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

No: None

MOTION CARRIED**Vote on Resolution to Amend the February 21, 2011 Regular City Council Meeting Agenda to Include O-1 Study Item – Discussion of Recommendations Regarding Public Engagement Strategies**

Resolution #2011-02-036

Moved by Kerwin

Seconded by Beltramini

RESOLVED, That Troy City Council hereby **AMENDS** the February 21, 2011 Regular City Council Meeting agenda to include O-1 *Study Item – Discussion of Recommendations Regarding Public Engagement Strategies*.

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

No: None

MOTION CARRIED**H-2 Directive from City Council for City Administration to Provide Business and Organization Recommendations to Conduct a Community Survey**Pending Resolution

Resolution

Moved by Slater

Seconded McGinnis

RESOLVED, That Troy City Council hereby **DIRECTS** City Administration to provide City Council with three business or organization recommendations for conducting a statistically significant community survey.

Vote on Resolution to Postpone H-2 Directive from City Council for City Administration to Provide Business and Organization Recommendations to Conduct a Community Survey

Resolution #2011-02-037

Reconsidered: February 21, 2011 Res #2011-02-046

Moved by Beltramini

Seconded by Kerwin

RESOLVED, That Troy City Council hereby **POSTPONES** agenda item H-2 *Directive from City Council for City Administration to Provide Business and Organization Recommendations to Conduct a Community Survey* until the Monday, March 7, 2011 Regular Meeting.

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

No: Howrylak

MOTION CARRIED

MOTION CARRIED**b) City Council Nominations – None Scheduled**

I-3 Request for Closed Session – No Closed Session Requested

I-4 2011 Poverty Exemption Guidelines (Changes from Previous Year)

Resolution #2011-02-040
Moved by Beltramini
Seconded by Fleming

RESOLVED, That, pursuant to MCL 211.7u, the Troy City Council hereby **APPROVES** the proposed "Poverty Exemption Guidelines" for 2011, as presented by the City Assessor in a memorandum dated February 9, 2011, a copy 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 Scheduling of Special Meeting of the Troy City Council at 6:00 PM on Monday, March 28, 2011 - Located at Automation Alley

Resolution #2011-02-041
Moved by Beltramini
Seconded by McGinnis

RESOLVED, That Troy City County hereby **SCHEDULES** a Special Meeting at 6:00 PM on Monday, March 28, 2011 at 2675 Bellingham, Troy, MI 48083, with Ken Rogers, Executive Director of Automation Alley to discuss the Development Plan of the Local Development Finance Authority (LDFA), Automation Alley's funding needs, economic development benefits of Automation Alley and provide Troy City Council with the opportunity to tour Automation Alley's facility.

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

MOTION CARRIED

I-6 Deficit Elimination Plans – Aquatic Center and Sanctuary Lake Golf Course

Resolution #2011-02-042
Moved by Beltramini
Seconded by Kerwin

RESOLVED, That Troy City Council hereby **APPROVES and ADOPTS** the Aquatic Center and Sanctuary Lake Golf Course Deficit Elimination Plans presented at this meeting.

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

No: None

MOTION CARRIED

I-7 Preliminary Site Condominium Approval (Extension) – Oak Forest South Site Condominium, East Side of Willow Grove, South of Square Lake Road, Section 11 – R-1C

Resolution #2011-02-043

Moved by Fleming

Seconded by McGinnis

RESOLVED, That Troy City Council hereby **APPROVES** the Preliminary Site Condominium Plan (Extension), as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One Family Residential Development) for the development known as Oak Forest South Site Condominium, located on the east side of Willow Grove, south of Square Lake Road, in Section 11, including 25 units on 10.03 acres within the R-1C zoning district, with the following conditions:

- A. A public meeting will be held with Engineering and surrounding residents to review the final engineering plans before final site condominium plan is submitted to City Council; and
- B. MDEQ approval will be obtained with all necessary assessment and permit documents prior to the final site condominium plan submittal to City Council; and
- C. The Oakland County Water Resources Commissioner shall approve the site condominium plan prior to the final site condominium plan submittal to City Council.

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

No: None

MOTION CARRIED

J. CONSENT AGENDA:

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

Resolution #2011-02-044

Moved by McGinnis

Seconded by Beltramini

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

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

No: None

MOTION CARRIED

J-2 Approval of City Council Minutes

Resolution #2011-02-044-J-2

RESOLVED, That Troy City Council hereby **APPROVES** the Minutes of the Regular City Council Meeting of February 7, 2011 as submitted and the Minutes of the Special City Council Meeting of February 7, 2011, as amended.

J-3 City of Troy Proclamations:

Resolution #2011-02-044-J-3

RESOLVED, That Troy City Council hereby **APPROVES** the following City of Troy Proclamations:

- a) January 2011 School Board Recognition Month – Avondale School Board Members
 - b) January 2011 School Board Recognition Month – Birmingham School Board Members
 - c) January 2011 School Board Recognition Month – Bloomfield Hills School Board Member
 - d) January 2011 School Board Recognition Month – Lamphere School Board Members
 - e) January 2011 School Board Recognition Month – Royal Oak School Board Members
 - f) January 2011 School Board Recognition Month – Troy School Board Members
 - g) January 2011 School Board Recognition Month – Warren Consolidated School Board Members
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J-1b Address of “J” Items Removed for Discussion by City Council

J-4 Standard Purchasing Resolutions

- a) Standard Purchasing Resolution 8: Best Value Award – Community Planning Services

Resolution #2011-02-045

Moved by Beltramini

Seconded by Fleming

RESOLVED, That Troy City Council hereby **AWARDS** a contract to provide three-year requirements of Community Planning and Related Services for the City of Troy with the option to renew for two (2) additional years to the highest scoring respondent, Carlisle / Wortman Associates, Inc of Ann Arbor, MI, as a result of a best value process, which the Troy City Council determines to be in the public interest, in accordance with the Agreement and Attachment 1 contained herein for SOQ-COT 10-24 opened December 20, 2010, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; and

BE IT FURTHER RESOLVED, That Troy City Council hereby **AWARDS** this contract **CONTINGENT** upon contractor submission of properly executed proposal and contract documents, including insurance certificates and all other specified requirements; and

BE IT FINALLY RESOLVED, That Troy City Council hereby **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the Agreement for Community Planning and Related Services once acceptable form, to expire March 31, 2014.

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

No: Howrylak

MOTION CARRIED

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings:

- a) Announcement of Public Hearings to Consider Alternative Energy Personal Property Exemptions Approved by the Michigan NextEnergy Authority for United Solar Ovonic Corp. (1100 W. Maple) and LG Chem Power (1857 Technology)
Noted and Filed

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

- a) Discontinued Services – Animal Control Services
Noted and Filed

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 Council Comments Advanced

Council Member Howrylak commented on Library funding and Police budget items.

Council Member Beltramini requested a discussion of Senate Bill 34.

Council Member Kerwin would like more study sessions to discuss pressing issues.

Council Member Slater encouraged City Council to discuss and make decisions regarding the ICMA report.

Council Member McGinnis commented on reduced services and that City Council needs to keep making progress and building trust with residents.

There was a consensus of Council to meet at 6:00 PM on Monday, March 7, 2011, to discuss the ICMA report.

Council Member Kerwin commented on the Troy City millage rate.

Mayor Schilling commented on the newspaper article quoting SEMCOG's encouragement of public surveys.

Council Member Howrylak commented on the Troy City millage rate.

Council Member Beltramini expressed concern over the loss of revenue sharing and Senate Bill 34, and requested a resolution be brought forward for the February 28, 2011, Regular Meeting. City Council discussed Senate Bill 34 and a proposed resolution.

N. REPORTS

N-1 Minutes – Boards and Committees:

- a) Liquor Advisory Committee-Final-December 13, 2010
 - b) Board of Zoning Appeals-Draft-January 18, 2011
 - c) Board of Zoning Appeals-Final-January 18, 2011
 - d) Planning Commission Special-Draft-January 25, 2011
 - e) Planning Commission Special-Final-January 25, 2011
 - f) Liquor Advisory Committee-Draft-February 7, 2011
- Noted and Filed
-

N-2 Department Reports:

- a) 2010 Year-End Calls for Police Service Report
- Noted and Filed
-

N-3 Letters of Appreciation:

- a) Letter of Appreciation from John V. Gladysz, Price Funeral Home, to Police Chief Mayer Expressing Gratitude for Troy Police Department Support during the funeral service of Margaret Mouch
- Noted and Filed
-

N-4 Proposed Proclamations/Resolutions from Other Organizations:

- a) Sample Resolution in Opposition to Senate Bill 34
- Noted and Filed
-

N-5 MLCC Sunday Sales Reports

Noted and Filed

N-6 Liquor Hearings

Noted and Filed

N-7 Discontinue Auction Services

Noted and Filed

N-8 Early Retirement Incentive ProgramNoted and Filed

N-9 Pothole Maintenance and Response ReportNoted and Filed

The meeting **RECESSED** at 10:23 PM.The meeting **RECONVENED** at 10:30 PM.**O. STUDY ITEMS**

O-1 Discussion of Recommendations Regarding Public Engagement Strategies**Vote on Resolution to Reconsider Resolution #2011-02-037**

Resolution #2011-02-046

Moved by Kerwin

Seconded by Slater

RESOLVED, That Troy City Council hereby **RECONSIDERS** Resolution #2011-02-046 as it appears below:*Resolution #2011-02-037**Moved by Beltramini**Seconded by Kerwin**RESOLVED, That Troy City Council hereby **POSTPONES** agenda item H-2 Directive from City Council for City Administration to Provide Business and Organization Recommendations to Conduct a Community Survey until the Monday, March 7, 2011 Regular Meeting.**Yes: Slater, Schilling, Beltramini, Fleming, Kerwin, McGinnis**No: Howrylak***MOTION CARRIED**

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

No: None

MOTION CARRIED**Vote on Resolution to Amend Reconsidered Resolution #2011-02-037**

Resolution #2011-02-047

Moved by Kerwin

Seconded by Slater

RESOLVED, That Troy City Council hereby **AMENDS** Resolution #2011-02-037 by **STRIKING** “March 7” and **INSERTING** “February 28”.

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

MOTION CARRIED

Vote on Reconsidered Resolution #2011-02-037 as Amended

Resolution #2011-02-037
Moved by Beltramini
Seconded by Kerwin

RESOLVED, That Troy City Council hereby **POSTPONES** agenda item H-2 *Directive from City Council for City Administration to Provide Business and Organization Recommendations to Conduct a Community Survey* until the Monday, February 28, 2011 Regular Meeting.

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

MOTION CARRIED

P. CLOSED SESSION:

P-1 No Closed Session Requested

Q. ADJOURNMENT

The meeting **ADJOURNED** at 11:31 PM.

Louise E. Schilling, Mayor

Barbara A. Pallotta, CMC
Deputy City Clerk