

Pastor Mark Novak from First Baptist Church of Troy performed 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 on Monday, April 14, 2014, at City Hall, 500 W. Big Beaver Rd. Mayor Slater called the meeting to order at 7:31 PM.

B. ROLL CALL:

- Mayor Dane Slater
- Jim Campbell
- Wade Fleming
- Dave Henderson
- Ellen Hodorek
- Ed Pennington
- Doug Tietz

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 Mayor Slater Presented Presented the National Library Week 2014 Proclamation to Cathy Russ, Library Director

C-2 Cathy Russ, Library Director, Recognized the Troy Library Mini Grant From the Brinker International Charitable Committee

C-3 Mike Kerr Presented the Recognition Plaque From the Michigan Veterans Foundation to Friends of Troy Public Library VP Eve Parsons

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 Conditional Rezoning Application (File CR 011) – Proposed Amber Town Center Townhomes and Lofts, 3409 Livernois, Section 21, From O (Office) District to BB (Big Beaver) District

The Mayor opened the Public Hearing for public comment. The Mayor closed the Public Hearing after receiving comment from the following residents or business owners:

Lavanway, Ted	Spoke in support of E-01.
Warner, Robert	Spoke in opposition to E-01.
Crusse, Karen	Spoke in opposition to E-01.
Welch, Grayson	Spoke in support of E-01.
Werpetinski, Jim	Spoke in opposition to E-01

Moross, Arthur	Spoke in opposition to E-01.
Peters, Richard	Spoke on E-01.
Fahmy, Michael	Spoke in opposition to E-01.
Sawyer, Tom	Spoke in opposition to E-01.

Moved by Fleming
Seconded by Tietz

WHEREAS, The City is in receipt of a proposed rezoning request from O Office District to BB Big Beaver District; and

WHEREAS, The applicant voluntarily offered a number of conditions, as described in the Conditional Rezoning Agreement and related attachments, as per Section 16.04 of the City of Troy Zoning Ordinance; and

WHEREAS, The subject property, located on the northwest corner of Livernois and Town Center, parcel 88-20-21-426-010, being approximately 1.23 acres in size, and described on the attached **Certified Survey**; and

WHEREAS, The conditional rezoning was recommended for approval by the Planning Commission; and

WHEREAS, The proposed rezoning is supported by the Master Plan and advances the general and specific development policies of the Master Plan;

THEREFORE, BE IT RESOLVED, City Council hereby **APPROVES** the O to BB Conditional Rezoning Agreement and related attachments, including Version 3 elevations, as revised by the applicant;

BE IT FURTHER RESOLVED, City Council **AUTHORIZES** the Mayor and City Clerk to sign the Conditional Rezoning Agreement on behalf of the City of Troy.

BE IT FINALLY RESOLVED, The City of Troy Zoning District Map is hereby **AMENDED**.

Vote on Resolution to AMEND Item *E-1 Conditional Rezoning Application (File CR 011) – Proposed Amber Town Center Townhomes and Lofts, 3409 Livernois, Section 21, From O (Office) District to BB (Big Beaver) District*

Resolution #2014-04-054

Moved by Slater
Seconded by Fleming

RESOLVED, That Troy City Council **AMENDS** Item *E-1 Conditional Rezoning Application (File CR 011) – Proposed Amber Town Center Townhomes and Lofts, 3409 Livernois, Section 21, From O (Office) District to BB (Big Beaver) District* by **STRIKING** “Version 3” in the sixth (6th) paragraph, and **INSERTING** “Version 2, with additional elevations of brick on the South side, as approved by the Planning Director.”

Yes: Fleming, Henderson, Hodorek, Pennington, Tietz, Slater

No: Campbell
MOTION CARRIED

Vote On Resolution As Amended

Resolution #2014-04-055

WHEREAS, The City is in receipt of a proposed rezoning request from O Office District to BB Big Beaver District; and

WHEREAS, The applicant voluntarily offered a number of conditions, as described in the Conditional Rezoning Agreement and related attachments, as per Section 16.04 of the City of Troy Zoning Ordinance; and

WHEREAS, The subject property, located on the northwest corner of Livernois and Town Center, parcel 88-20-21-426-010, being approximately 1.23 acres in size, and described on the attached **Certified Survey**; and

WHEREAS, The conditional rezoning was recommended for approval by the Planning Commission; and

WHEREAS, The proposed rezoning is supported by the Master Plan and advances the general and specific development policies of the Master Plan;

THEREFORE, BE IT RESOLVED, City Council hereby **APPROVES** the O to BB Conditional Rezoning Agreement and related attachments, including Version 2 with additional elevations of brick on the South side, as approved by the Planning Director and revised by the applicant;

BE IT FURTHER RESOLVED, City Council **AUTHORIZES** the Mayor and City Clerk to sign the Conditional Rezoning Agreement on behalf of the City of Troy.

BE IT FINALLY RESOLVED, The City of Troy Zoning District Map is hereby **AMENDED**.

Yes: Fleming, Henderson, Pennington, Tietz, Slater
No: Hodorek, Campbell

MOTION CARRIED

F. PUBLIC COMMENT FOR ITEMS ON THE AGENDA FROM TROY RESIDENTS AND BUSINESSES:

G. CITY COUNCIL/CITY ADMINISTRATION RESPONSE/REPLY TO PUBLIC COMMENT:

H. POSTPONED ITEMS:

H-1 No Postponed Items

I. REGULAR BUSINESS:

I-1 Board and Committee Appointments: a) Mayoral Appointments – None; b) City Council Appointments – Charter Revision Committee, Personnel Board and Zoning Board of Appeals (ZBA)

a) Mayoral Appointments: None

b) City Council Appointments:

Moved by Henderson
Seconded by Fleming

RESOLVED, That Troy City Council hereby **APPOINTS** the following nominated person(s) to serve on the Boards and Committees as indicated:

Charter Revision Committee

Appointed by Council
7 Regular Members
3 Year Term

Term Expires: 4/30/2017

Frank Howrylak

Term currently held by: Frank Howrylak

Term Expires: 4/30/2017

Cynthia Wilsher

Term currently held by: Cynthia Wilsher

Resolution #2014-04-056
Moved by Henderson
Seconded by Fleming

RESOLVED, That Troy City Council hereby **AMENDS** Item I-2b) City Council Appointments – Charter Revision Committee by dividing the appointments in order to consider one applicant at a time. Troy City Council hereby **APPOINTS** the following nominated person(s) to serve on the Boards and Committees as indicated:

Charter Revision Committee

Appointed by Council
7 Regular Members
3 Year Term

Term Expires: 4/30/2017

Frank Howrylak

Term currently held by: Frank Howrylak

Yes: Pennington, Tietz, Slater, Fleming, Henderson
No: Hodorek, Campbell

MOTION CARRIED

Resolution #2014-04-057
Moved by Henderson
Seconded by Pennington

RESOLVED, That Troy City Council hereby **APPOINTS** the following nominated person(s) to serve on the Boards and Committees as indicated:

Charter Revision Committee

Appointed by Council
7 Regular Members
3 Year Term

Term Expires: 4/30/2017

Cynthia Wilsher

Term currently held by: Cynthia Wilsher

Yes: All-7
No: None

MOTION CARRIED

Resolution #2014-04-058
Moved by Henderson
Seconded by Fleming

Personnel Board

Appointed by Council
5 Regular Members
3 Year Term

Term Expires: 4/30/2017

Deborah Baughman

Term currently held by: Deborah Baughman

Term Expires: 4/30/2017

Michael Rosenberg

Term currently held by: Ann Comiskey

Yes: All-7
No: None

MOTION CARRIED

Resolution #2014-04-059
Moved by Henderson
Seconded by Campbell

Zoning Board of Appeals

Appointed by Council
7 Regular Members
3 Year Term

Term Expires: 4/30/2017

A. Allen Kneale

Term currently held by: A. Allen Kneale

Term Expires: 4/30/2017

Dave Lambert

Term currently held by: Dave Lambert

Yes: All-7
No: None

MOTION CARRIED

I-2 Board and Committee Nominations: a) Mayoral Nominations – Brownfield Redevelopment Authority, Planning Commission; b) City Council Nominations – Historic District Commission

a) Mayoral Nominations:

City Council **TOOK NO ACTION** on this Item.

b) City Council Nominations:

City Council **TOOK NO ACTION** on this Item.

I-3 No Request for Closed Session

I-4 Do Not Knock Ordinance – Chapter 74 Amendment (Introduced by: Aileen Bittner, City Clerk)

Resolution #2014-04-060
Moved by Fleming
Seconded by Pennington

RESOLVED, That Troy City Council hereby **AMENDS** Chapter 74, Solicitations, of the Troy City Code in accordance with the proposal prepared by City Administration. A copy of this ordinance shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7
No: None

MOTION CARRIED

I-5 Troy-RCOC Concrete Pavement Replacement Program (Introduced by: Brian Kischnick, City Manager, and Bill Huotari, Deputy City Engineer)

Resolution #2014-04-061
Moved by Hodorek
Seconded by Campbell

RESOLVED, That City Council hereby **APPROVES** the \$10,535,000 Troy-RCOC Concrete Pavement Replacement Program for comprehensive concrete pavement replacement on the following RCOC roads:

- Long Lake, Rochester to Livernois
- Dequindre, Big Beaver to 14 Mile Road
- Big Beaver, Rochester to Dequindre
- John R, Long Lake to Maple Road
- Long Lake, Livernois to Northfield Parkway
- Big Beaver, Adams to Civic Center
- Crooks, Wattles to Square Lake; and

BE IT FURTHER RESOLVED, That City Council hereby **APPROVES** the transfer of \$5,000,000 from the General Fund Fund Balance to be used as a match to approximately \$5,500,000 in outside funding.

BE IT FINALLY RESOLVED, That budget amendments **WILL BE PROCESSED AND PRESENTED** to City Council to reflect actual expenditures under this program to reconcile costs within the appropriate budget year.

Yes: All-7
No: None

MOTION CARRIED

I-6 General Fund Balance Policy (Introduced by: Thomas Darling, Director of Financial Services)

Resolution #2014-04-062
Moved by Hodorek
Seconded by Fleming

RESOLVED, That Troy City Council hereby **APPROVES** the General Fund Balance Policy as submitted, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7
No: None

MOTION CARRIED

J. CONSENT AGENDA:

J-1a Approval of "J" Items NOT Removed for Discussion

Resolution #2014-04-063

Moved by Henderson

Seconded by Pennington

RESOLVED, That Troy City Council hereby **APPROVES** all items on the Consent Agenda as presented.

Yes: All-7

No: None

MOTION CARRIED

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

J-2 Approval of City Council Minutes

Resolution #2014-04-063-J-2

RESOLVED, That Troy City Council hereby **APPROVES** the following Minutes as submitted:

- a) Joint Special City Council and Downtown Development Authority Meeting-Draft – April 2, 2014
 - b) City Council Meeting Minutes-Draft – April 7, 2014
-

J-3 Proposed City of Troy Proclamations:

- a) Library Week – April 13-19, 2014
-

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 1: Award to Low Bidder - Concrete Slab Replacement Program**

Resolution #2014-04-063-J-4a

RESOLVED, That Troy City Council hereby **AWARDS** a one (1) year contract with an option to renew for two (2) additional years as needed for Concrete Slab Replacement to the low bidder; DiLisio Construction Inc., of Clinton Township, MI; for an estimated total cost of \$5,515,000 for Fiscal Year 2014/2015, at the unit prices contained in the bid tabulation opened March 27, 2014, a copy of which shall be **ATTACHED** to the original Minutes of this meeting. The annual cost of which shall not exceed annual budgetary limitations; with the contract to expire December 31, 2016.

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

b) Standard Purchasing Resolution 2: Sole Bidder Meeting Specifications - Transit Mixed Concrete

Resolution #2014-04-063-J-4b

RESOLVED, That Troy City Council hereby **AWARDS** a contract to provide one (1) year requirements of Transit Mixed Concrete with an option to renew for one (1) additional year to the sole bidder meeting specifications, to Superior Materials, LLC, of Farmington Hills, at unit prices contained in the bid tabulation opened April 10, 2014, a copy of which shall be **ATTACHED** to the original Minutes of this meeting to be purchased on an as-needed basis as specified, with the contract expiring April 30, 2016.

BE IT FINALLY RESOLVED, That the award is **CONTINGENT** upon the contractor's submission of properly executed bid documents, insurance certificates and all other specified requirements.

c) Standard Purchasing Resolution 4: Award – Oakland County Cooperative Purchasing Agreement – Fleet Vehicles

Resolution #2014-04-063-J-4c

RESOLVED, That Troy City Council hereby **APPROVES** a contract to purchase three (3) 2015 Sierra 2500 HD GMC 4X4 pickups from Red Holman Buick, GMC of Westland, MI, through the Oakland County Cooperative Purchasing Agreement for an estimated total cost of \$77,313.00 as per the Oakland County Contract ID #4096.

d) Standard Purchasing Resolution 4: Award – HGAC Cooperative Purchasing Contract – Fleet Vehicles

Resolution #2014-04-063-J-4d

RESOLVED, That Troy City Council hereby **APPROVES** a contract to purchase (1) 2015 TYMCO Model 600 Regenerative Air Sweeper from TYMCO, Inc. of Waco, TX, through the HGAC Cooperative Purchasing Contract for an estimated total cost of \$197,975.00, as per the HGAC Contract ID number SW 04-14.

e) Standard Purchasing Resolution 4: State of Michigan MiDeal Program – Portable/Changeable Message Signs

Resolution #2014-04-063-J-4e

RESOLVED, That Troy City Council hereby **APPROVES** a contract to purchase two (2) Addco All LED Portable/Changeable Message Signs from Bell Equipment Company of Lake Orion, MI for an estimated total cost of \$34,800.00, at prices detailed and contained in the attached quote

as per the Michigan MiDeal Contract #071B1300075, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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

f) Standard Purchasing Resolution 1: Award to Low Bidder – Contract 14-30 – 2014 Troy-RCOC Concrete Pavement Replacement Program

Resolution #2014-04-063-J-4f

RESOLVED, That Troy City Council hereby **AWARDS** Contract No. 14-3, 2014 Troy-RCOC Concrete Pavement Replacement Program to Dilisio Contracting, Inc., 23525 Lakepointe, Clinton Twp., MI 48036 for a total cost not-to-exceed \$5,106,000, at unit prices contained in their bid, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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

J-5 2014 NHPP/Tri-Party Program – Concrete Slab Replacement – Big Beaver, Adams to Civic Center

Resolution #2014-04-063-J-5

RESOLVED, That the Cost Participation Agreement between the City of Troy and the Board of Road Commissioners for Oakland County (Board) for the 2014 NHPP/Tri-Party Program is hereby **APPROVED** at an estimated cost to the City of Troy of \$100,054;

BE IT FURTHER RESOLVED, That the City of Troy **SHALL ADVANCE** \$2,000,000 to the project and be reimbursed from \$1,600,000 in FY 2015 National Highway Prevention Program (NHPP) funds and \$400,000 from the Board's local match with reimbursement to the City of Troy after October 1, 2014.

BE IT FINALLY RESOLVED, That the Mayor and City Clerk are **AUTHORIZED** to **EXECUTE** the agreement, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-6 Private Agreement – Contract for Installation of Municipal Improvements – 1-800-Mini Storage Building Addition – Project No. 14.905.3

Resolution #2014-04-063-J-6

RESOLVED, That Troy City Council hereby **APPROVES** the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and West Maple Ventures, LLC, for the installation of a public water main, and the Mayor and City Clerk are **AUTHORIZED** to **EXECUTE** the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-7 State of Michigan Grant Agreement – QVF Oracle/Equipment Upgrade Project

Resolution #2014-04-063-J-7

RESOLVED, That Troy City Council hereby **APPROVES** the State of Michigan Grant Agreement for the Qualified Voter File (QVF) Oracle/Equipment Upgrade Project.

BE IT FURTHER RESOLVED, That the City Clerk is hereby **AUTHORIZED** to sign the agreement, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-8 Intergovernmental Agreement – Michigan Centralized Birth Certification System (MiCBCS)

Resolution #2014-04-063-J-8

RESOLVED, That Troy City Council hereby **APPROVES** the Intergovernmental Agreement between the Michigan Department of Community Health and the City of Troy for the Michigan Centralized Birth Certificate System (MiCBCS).

BE IT FURTHER RESOLVED, That the City Clerk is hereby **AUTHORIZED** to sign the agreement, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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): None Submitted****L. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA FROM TROY RESIDENTS AND BUSINESSES:**

Sawyer, Tom	Spoke about National Tom Sawyer Days in Hannibal, Missouri, including the national fence painting tournament.
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Resolution #2014-04-064

Moved by Slater

Seconded by Fleming

RESOLVED, That Troy City Council hereby **WAIVES** Public Comment, Council Rule #17, *Members of the Public & Visitors*, to allow Mr. Tom Sawyer to continue his public comment at the request of the Chair and by majority vote of City Council members elect.

Yes: All-7

No: None

MOTION CARRIED

Sawyer, Tom	Continued by requesting a City of Troy flag to take back to Hannibal, Missouri.
Mayernik, John	Spoke about experiencing sidewalk issues and an inoperable crosswalk button while biking in Troy.
Werpetinski, Jim	Spoke requesting that the City invest in a dog park, as well as to allocate funding for senior programs and the Nature Center, Historical Society, Troy Youth Assistance, and Troy Community Coalition.
Peters, Richard	Spoke about various topics, including violent crimes occurring in schools in the United States.

M. COUNCIL REFERRALS:

Items Advanced to the City Manager by Individual City Council Members for Placement on the Agenda

M-1 No Council Referrals Advanced

N. COUNCIL COMMENTS:

N-1 No Council Comments Advanced

Council Member Henderson requested City Manager Kischnick address the problems with the sidewalks at the Livernois culvert. City Manager Kischnick indicated that the Livernois culvert is scheduled to be repaired this summer.

Council Member Hodorek announced that the City of Troy is sponsoring a Red Cross Blood Drive at the Community Center on April 24, 2014, from 9:00 AM to 8:45 PM. Walk-ins are welcome. Contact Community Affairs at (248) 524-1147 for more information.

Council Member Hodorek announced that Troy People Concerned will be hosting their Annual Spring Pasta Dinner at the San Marino Club on April 24, 2014 from 5:00-8:00 PM. Tickets are \$15 for adults, and \$5 per child under 10 years old. Entertainment includes music, cash bar, 50/50 raffle, silent auction, caricatures, magician and fun for the kids. Contact Troy People Concerned at (248) 528-9199 or www.troypeopleconcerned.org for more information.

O. REPORTS:

O-1 Minutes – Boards and Committees: None Submitted

O-2 Department Reports:

a) 2014 First Quarter Litigation Report
Noted and Filed

O-3 Letters of Appreciation:

a) To Chief Mayer From Richard Dylewski Jr. Regarding Department Assistance for the Funeral Process of Former Fire Chief Harvey Malone, Clawson Fire Department
Noted and Filed

O-4 Proposed Proclamations/Resolutions from Other Organizations: None Submitted

P. COMMENTS ON ITEMS ON OR NOT ON THE AGENDA FROM MEMBERS OF THE PUBLIC OUTSIDE OF TROY (NOT RESIDENTS OF TROY AND NOT FROM TROY BUSINESSES):

Q. STUDY ITEMS:

Q-1 No Study Items

R. CLOSED SESSION:

R-1 No Closed Session

S. ADJOURNMENT:

The Meeting **ADJOURNED** at 9:53 PM.



Mayor Dane Slater



M. Aileen Bittner, CMC
City Clerk