

Council Member Pennington 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, May 19, 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- Kamal Shouhayyib Introduced May El Khalil, Founder of the Beirut Marathon, Who Spoke of Her Passion for Running Marathons and Sharing Her Message of “Peace, Love, Run”. This Year, Beirut Marathon had 36,000 Runners Participate Representing 140 Nationalities.

C-1 Mayor Slater Presented a Certificate of Appreciation to Troy Athens Student Council for Raising More Than \$56,000 During Charity Week (Charity was “The Desert Angel”)

C-2 Mayor Slater Presented a Proclamation for Asian American Pacific Heritage Month to Mumtaz Haque, Commissioner, Michigan Asian Pacific American Affairs Commission and Troy Resident

C-3 NEXT Professional Development Program (Introduced by: Maggie Hughes with NEXT Team: Marcus Vanderpool, Andrew Lavoie, Kathy Kostopoulos, Matt Hughes, and Bryan Martin) and Cross Section of a Right-of-Way (Introduced by: Matt Hughes)

C-4 Troy Roads Rock 2014 Program (Introduced by: Steve Vandette, City Engineer, Paul Evans, Zoning & Compliance Specialist, and Police Officer Milt Stansbury)

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 No Public Hearings

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 – Brownfield Redevelopment Authority, Planning Commission; b) City Council Appointments – None

a) Mayoral Appointments:

Resolution #2014-05-078
Moved by Slater
Seconded by Pennington

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

Brownfield Redevelopment Authority

Appointed by Mayor
7 Regular Members
3 Year Term

Term Expires: 4/30/2017

Rosemary Kornacki

Term currently held by: Rosemary Kornacki

Term Expires: 4/30/2017

Robert Swartz

Term currently held by: Robert Swartz

Yes: All-7
No: None

MOTION CARRIED

Resolution #2014-05-079
Moved by Slater
Seconded by Campbell

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

Planning Commission

Appointed by Mayor
9 Regular Members
3 Year Term

Term Expires: 12/31/2014

Karen Crusse

Term currently held by: VACANT - Robert Schultz resigned
3/25/2014.

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

MOTION CARRIED

b) City Council Appointments: None

I-2 Board and Committee Nominations: a) Mayoral Nominations – None; b) City Council Nominations –Historic District Commission

a) Mayoral Nominations: None

b) City Council Nominations:

Resolution #2014-05-080
Moved by Henderson
Seconded by Pennington

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:

Historic District Commission

Appointed by Council
7 Regular Members
3 Year Term

Nominations to the Historic District Commission:

Term Expires: 3/1/2017

Paul McCown

Term currently held by: Ann Partlan

Yes: All-7
No: None

MOTION CARRIED

I-3 Request for Closed Session

Resolution #2014-05-081
Moved by Fleming
Seconded by Campbell

BE IT RESOLVED, That Troy City Council **SHALL MEET** in Closed Session, as permitted by MCL15.268 (e) – Pending Litigation – *T.R. Pieprzak v. City of Troy*.

Yes: All-7
No: None

MOTION CARRIED

I-4 Film and Video Ordinance Amendment (Introduced by: Brenda Carter, Interim Assistant to the City Manager)

Resolution #2014-05-082
Moved by Pennington
Seconded by Henderson

a) Chapter 61A, Film Production

RESOLVED, That an ordinance is approved as Chapter 61A, Film Production, City of Troy Ordinances, as recommended by City Administration. A copy of the ordinance shall be **ATTACHED** to the original Minutes of the meeting.

b) Amendment to Chapter 3, Administrative Service

RESOLVED, That Section 1.141(7), Section 1.141(9) and Section 1.141(10) of Chapter 3, Administrative Service, of the City of Troy Ordinances are hereby **AMENDED** as recommended by City Administration. A copy of the ordinance amendments shall be **ATTACHED** to the original Minutes of the meeting.

c) Amendment to Chapter 60, Fees and Bonds Required

RESOLVED, That Chapter 60, Fees and Bonds Required, is **AMENDED** to add new provisions to Section 60.03, City of Troy Ordinances regarding Chapter 61A - Film Production, application and permit fees and/or cash bonds, as recommended by City Administration. A copy of the ordinance amendment shall be **ATTACHED** to the original Minutes of the meeting.

Yes: All-7
No: None

MOTION CARRIED

I-5 Traffic Committee Recommendations – Request for Removal of No Parking Zone – 1914 Witherbee (Introduced by: Bill Huotari, Deputy City Engineer)

Resolution #2014-05-083

Moved by Slater
Seconded by Fleming

Item # 4 Request for Removal of No Parking Zone – 1914 Witherbee

RESOLVED, That **NO CHANGES BE MADE** to the No Parking restrictions, along the south side of Witherbee between Graefield and Eton, from 8:15 – 9:15 AM and 3:15 – 4:15 PM on school days.

Yes: All-7
No: None

MOTION CARRIED

J. CONSENT AGENDA:

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

Resolution #2014-05-084
Moved by Fleming
Seconded by Hodorek

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 #2014-05-084-J-2

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

- a) City Council Minutes-Draft – May 12, 2014
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J-3 Proposed City of Troy Proclamations: None

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 2: Award to Lowest Bidder Meeting Specifications - Custodial Supplies**

Resolution #2014-05-084-J-4a

RESOLVED, That Troy City Council hereby **AWARDS** a contract to provide one (1) year requirements of Custodial Supplies with an option to renew for two (2) additional years to the low bidder meeting specifications; *Empire Equipment and Supply Co. of Detroit, MI*, at an estimated annual total cost of \$29,681.70; at unit prices contained in the bid tabulation opened May 8, 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 June 30, 2017.

b) Standard Purchasing Resolution 2: Low Bidder Meeting Specifications - Parking Lot Maintenance Program – Department of Public Works

Resolution #2014-05-084-J-4b

RESOLVED, That Troy City Council hereby **APPROVES** a contract to complete an asphalt overlay to the front employee and visitor Department of Public Works parking lot to the low bidder meeting specifications; *Asphalt Specialties, Inc., of Pontiac, Michigan*, for an estimated total cost of \$19,465.00, not to exceed budgetary limitations; at the unit prices contained in the bid tabulation opened May 15, 2014, 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.

c) Standard Purchasing Resolution 2: Sole Bidder Meeting Specifications - Boiler Replacement for the Troy Historic Village

Resolution #2014-05-084-J-4c

RESOLVED, That Troy City Council hereby **APPROVES** a contract to furnish all labor, materials and equipment to complete the Troy Historic Village Boiler Replacement to the sole bidder meeting specifications; *Denny's Heating and Cooling & Refrigeration Svc., Inc. of Troy, MI* for an estimated total cost of \$98,800.00, not to exceed budgetary limitations; at the unit prices contained in the bid tabulation opened April 24, 2104, 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.

d) Standard Purchasing Resolution 4: REMC Contract - Server Replacement

Resolution #2014-05-084-J-4d

RESOLVED, That Troy City Council hereby **AWARDS** a contract to purchase one (1) new server including hardware, maintenance and operating system software from Dell Marketing, LP through the State of Michigan REMC Program for an estimated total cost of \$18,998.87; as quoted in Appendix A, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-5 Request for Amendment to the Oakland County Solid Waste Plan – Rizzo Environmental Services (Introduced by: Tim Richnak, Department of Public Works Director)

Resolution #2014-05-084-J-5

a) Oakland County Resolution

WHEREAS, Oakland County (“County”) has a Solid Waste Management Plan (“Plan”) that was prepared in accordance with Public Act 451, as amended, 1994, Part 115; Solid Waste Management; and

WHEREAS, The law requires that the Plan identify all solid waste landfills, Type A Transfer Stations, and Waste Processing Facilities within the County and that the Plan must be amended if the County desires to include new facilities or sites; and

WHEREAS, The Oakland County Executive received a request to amend the County Solid Waste Management Plan for the inclusion of a proposed Type A Transfer Station and a Waste Processing Facility to be located on the same piece of property in Pontiac at 900 Baldwin Avenue from Pontiac Baldwin, LLC and Rizzo Properties LLC (“Requested Amendment”); and

WHEREAS, The Oakland County Solid Waste Planning Committee (“SWPC”), along with the staff of the Oakland County Economic Development & Community Affairs Department, which is the Designed Planning Agency (“DPA”) for Oakland County have met and discussed this requested amendment to the Plan; and

WHEREAS, The Oakland County Solid Waste Planning Committee authorized by resolution that the requested amendment be released for the required 90-day public comment period which was held from December 14, 2013-March 17, 2014 and was widely publicized to all Oakland County municipalities, adjacent counties, the Board of Commissioners, the MI Department of Environmental Quality, SEMCOG and other interested parties; and

WHEREAS, Notice of the public comment period and date of a public hearing was published in The Oakland Press on December 13, 2013 and all corresponding documents were available for public review in the Oakland County One Stop Shop, as well as on the Oakland County website; and

WHEREAS, The applicants ,Baldwin Pontiac, LLC and Rizzo Properties LLC have entered into a host community agreement with the City of Pontiac to provide the City of Pontiac additional benefits; and

WHEREAS, A public hearing was held on February 26, 2014 at the Oakland County Executive Office Building; and

WHEREAS, The SWPC met after the end of the 90-day public comment period and reviewed the transcript of the public hearing and considered all written and verbal public comments received during the meetings and public comment period. The SWPC approved the requested amendment and recommended that it be forwarded to the Oakland County Board of Commissioners for consideration; and

WHEREAS, The Oakland County Board of Commissioners approved the requested amendment at its April 17, 2014 meeting; and

WHEREAS, Per Public Act 451, Part 115, Solid Waste Management, Section 11536, it is a requirement that a solid waste plan amendment must receive support via resolution by no less than 67% of the local units of government within the respective county before being sent to the Michigan Department of Environmental Quality for approval;

NOW, THEREFORE BE IT RESOLVED, That Troy City Council of the City of Troy does hereby **APPROVE** the requested amendment to the Oakland County Solid Waste Plan for the inclusion of a Type A Transfer Station and Solid Waste Processing Facility to be located at 900 Baldwin Avenue in Pontiac, MI.

b) City of Troy Resolution

WHEREAS, Oakland County has experienced significant changes in population, employment, waste generation, landfill capacity and recycling technology and the plan no longer reflects the current conditions in Oakland County.

RESOLVED, That Troy City Council hereby **REQUESTS** that Oakland County fully update the 2000 Solid Waste Management Plan in accordance with State law.

BE IT FURTHER RESOLVED, That Oakland County **BEGINS** this review and update without delay after the current amendment process is completed.

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) Amendment to Chapter 20 of the Troy City Code (Water and Sewer Rates)
- b) Resolution to Permit Use of Shell Crackers to Disperse Migratory Waterfowl – Emerald Lakes Subdivision

L. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA FROM TROY RESIDENTS AND BUSINESSES:

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

O. REPORTS:

O-1 Minutes – Boards and Committees:

- a) Building Code Board of Appeals-Final – March 5, 2014
 - b) Planning Commission Special/Study Minutes-Draft - April 22, 2014
 - c) Planning Commission Special/Study-Final – April 22, 2014
Noted and Filed
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O-2 Department Reports:

- a) Engagement Letter with Rehmann Robson for the City of Troy for the Year Ending June 30, 2014 – Audit Services
 - b) Interim Financial Statements for the Nine Months Ended March 31, 2014
 - c) Quarterly SOCRRA Report – April, 2014
Noted and Filed
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O-3 Letters of Appreciation: None Submitted

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

O-5 Notice of Public Hearing – Oakland County Water Resource Commissioner – On the Proposed Evergreen Farmington Sewage Disposal System
Noted and Filed

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

The Meeting **RECESSED** at 8:46 PM.

The Meeting **RECONVENED** at 8:51 PM.

R. CLOSED SESSION:

R-1 Closed Session – 1) T.R. Pieprzak v City of Troy, and 2) City Manager Personnel Evaluation

S. ADJOURNMENT:

The Meeting **ADJOURNED** at 10:02 PM.

Mayor Dane Slater

M. Aileen Bittner, CMC
City Clerk