

Pastor Jon Enright from Troy Christian Chapel 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 20, 2015, at City Hall, 500 W. Big Beaver Rd. Mayor Slater called the meeting to order at 7:34 PM.

B. ROLL CALL:

Mayor Dane Slater
Steve Gottlieb
Dave Henderson
Ellen Hodorek
Ed Pennington

Excuse Absent Council Members:

Resolution #2015-04-052
Moved by Slater
Seconded by Henderson

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of Mayor Pro Tem Campbell and Council Member Tietz at the Regular City Council Meeting of April 20, 2015, due to being out of the state.

Yes: Slater, Gottlieb, Henderson, Hodorek, Pennington
No: None
Absent: Campbell, Tietz

MOTION CARRIED

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 Proclamation to Commemorate the 100th Anniversary of the Armenian Genocide Presented to Troy Chamber Executive Director Ara Topouzian and Troy Resident Nancy Negohosian (Presented by: Mayor Dane Slater)

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 – Planning Commission; b) City Council Appointments - None

a) Mayoral Appointments:

Resolution #2015-04-053
Moved by Slater
Seconded by Hodorek

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

Nominations to the Planning Commission:

Term Expires: 7/31/2016

Frencheska Brikho

Term currently held by: Vacancy (Student)

Yes: Gottlieb, Henderson, Hodorek, Pennington, Slater
No: None
Absent: Campbell, Tietz

MOTION CARRIED

b) City Council Appointments: None

I-2 Board and Committee Nominations: a) Mayoral Nominations – Brownfield Redevelopment Authority; b) City Council Nominations – Charter Revision Committee, Employee Retirement System Board of Trustees / Retiree Health Care

Benefits Plan & Trust, Historic District Commission, Liquor Advisory Committee, Parks and Recreation Board, Personnel Board, Traffic Committee, Zoning Board of Appeals

a) **Mayoral Nominations:**

City Council took no action on this item.

b) **City Council Nominations:**

Resolution #2015-04-054
Moved by Gottlieb
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:

Employee Retirement System Board of Trustees / Retiree Health Care Benefits Plan & Trust

Appointed by Council
7 Regular Members and 2 Ordinance Members
3 Year Term

Nominations to the Employee Retirement System Board of Trustees / Retiree Health Care Benefits Plan & Trust:

Term Expires: 4/15/2018

Dave Henderson

(City Council Rep.)

Term currently held by:

Dave Henderson

Liquor Advisory Committee

Appointed by Council
7 Regular Members
3 Year Term

Nominations to the Liquor Advisory Committee:

Term Expires: 7/31/2016

Elizabeth Slifkin

Term currently held by:

Vacancy (Student)

Parks and Recreation Board

Appointed by Council
7 Regular Members and 1 Troy School Board Member:
Regular Member: 3 Year Term / Troy School Board Member: 1 Year Term

Nominations to the Parks and Recreation Board:

Term Expires: 7/31/2016

Kathleen Regan

Term currently held by: Vacancy (Student)

Yes: Henderson, Hodorek, Pennington, Slater, Gottlieb
No: None
Absent: Tietz, Campbell

MOTION CARRIED

I-3 No Request for Closed Session

I-4 2015 Tri-Party Program – Concrete Slab Replacement - Big Beaver, Livernois, John R and Long Lake Roads (Presented by: Steve Vandette, City Engineer)

Resolution #2015-04-055
Moved by Gottlieb
Seconded by Henderson

RESOLVED, That the Cost Participation Agreement between the City of Troy and the Board of County Road Commissioners for Oakland County (Board) for the 2015 Tri-Party Program is hereby **APPROVED** at an estimated cost to the City of Troy of \$134,752, and 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.

Yes: Hodorek, Pennington, Slater, Gottlieb, Henderson
No: None
Absent: Tietz, Campbell

MOTION CARRIED

I-5 Evergreen Farmington Sewage Disposal System – North Evergreen Interceptor (NEI) Wattles Road Storage Contract and NEI Hydraulic Improvements Contract (Presented by: Steve Vandette, City Engineer, and Tim Richnak, DPW Director)

Resolution #2015-04-056
Moved by Gottlieb
Seconded by Pennington

Resolution A – Evergreen Farmington Sewage Disposal System North Evergreen Interceptor Wattles Road Storage Contract

RESOLVED, That the City Council of the City of Troy, Oakland County, Michigan.

1. Hereby **APPROVES** the contract between the County and the Municipalities relating to the acquisition and construction of the Evergreen Farmington Sewage Disposal System

North Evergreen Interceptor Wattles Road Storage (the "Contract"), which Contract provides that the City will pay its share of the cost of the Project in cash; that the County will issue its bonds (the "County Bonds") to defray the remaining cost of the Project in anticipation of payments to be made by the Charter Township of Bloomfield which payments will be sufficient to pay the principal of and interest on the County Bonds; that for the making of such payments thereunder each Municipality will pledge its full faith and credit and limited taxing power; and for other matters relating to the Project and the acquisition, construction, financing and operation thereof, all under and pursuant to Act No. 342, Public Acts of Michigan, 1939, as amended.

2. Hereby **APPROVES** the preliminary plans for the Project, and the estimates of the cost and period of usefulness thereof, as contained in Exhibits A and B to the Contract.
3. **AUTHORIZES** the Mayor and the City Clerk to execute and deliver the Contract for and on behalf of the City in such number of counterparts as may be desirable.
4. **AUTHORIZES** the City Clerk to publish the notice hereunto attached in the Troy-Somerset Gazette and so as to be prominently displayed therein. It is found and declared that said newspaper is a newspaper of general publication in the City and that said notice contains information which is sufficient to adequately inform all interested persons as to the nature and extent of the full faith and credit obligations of the City under the Contract.
5. **DIRECTS** that a copy of the Contract as presented to the City Council and herein approved and authorized to be executed and delivered shall be **ATTACHED** to the original Minutes of this meeting and made a part thereof and shall be placed on file with the City Clerk and made available for examination by any interested person during normal business hours.

Resolution B – Evergreen Farmington Sewage Disposal System North Evergreen Interceptor NEI Hydraulic Improvements Contract

RESOLVED, That the City Council of the City of Troy, Oakland County, Michigan.

1. Hereby **APPROVES** the contract between the County and the Municipalities relating to the acquisition and construction of the Evergreen Farmington Sewage Disposal System North Evergreen Interceptor NEI Hydraulic Improvements (the "Contract"), which Contract provides that the City of Bloomfield Hills and the City will pay their respective shares of the cost of the Project in cash; that the County will issue its bonds (the "County Bonds") to defray the remaining cost of the Project in anticipation of payments to be made by the Charter Township of Bloomfield which payments will be sufficient to pay the principal of and interest on the County Bonds; that for the making of such payments thereunder each Municipality will pledge its full faith and credit and limited taxing power; and for other matters relating to the Project and the acquisition, construction, financing and operation thereof, all under and pursuant to Act No. 342, Public Acts of Michigan, 1939, as amended.
2. Hereby **APPROVES** the preliminary plans for the Project, and the estimates of the cost and period of usefulness thereof, as contained in Exhibits A and B to the Contract.

3. **AUTHORIZES** the Mayor and the City Clerk to execute and deliver the Contract for and on behalf of the City in such number of counterparts as may be desirable.
4. **AUTHORIZES** the City Clerk to publish the notice hereunto attached in the Troy-Somerset Gazette and so as to be prominently displayed therein. It is found and declared that said newspaper is a newspaper of general publication in the City and that said notice contains information which is sufficient to adequately inform all interested persons as to the nature and extent of the full faith and credit obligations of the City under the Contract.
5. **DIRECTS** that a copy of the Contract as presented to the City Council and herein approved and authorized to be executed and delivered shall be **ATTACHED** to the original Minutes of this meeting and made a part thereof and shall be placed on file with the City Clerk and made available for examination by any interested person during normal business hours.

Yes: Pennington, Slater, Gottlieb, Henderson, Hodorek

No: None

Absent: Tietz, Campbell

MOTION CARRIED

I-6 Request to Set Date for Closed Session - City Manager Evaluation

Resolution #2015-04-057

Moved by Pennington

Seconded by Henderson

RESOLVED, That Troy City Council **SHALL MEET** in Closed Session on May 11, 2015, after the Regular City Council meeting, in the Council Board Room, pursuant to MCL 15. 268 (a) and (h) (MCL 15.243 (g)) for the evaluation of the City Manager.

Yes: Slater, Gottlieb, Henderson, Hodorek, Pennington

No: None

Absent: Campbell, Tietz

MOTION CARRIED

J. CONSENT AGENDA:

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

Resolution #2015-04-058

Moved by Henderson

Seconded by Hodorek

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

Yes: Gottlieb, Henderson, Hodorek, Pennington, Slater

No: None

Absent: Campbell, Tietz

MOTION CARRIED

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

J-2 Approval of City Council Minutes

Resolution #2015-04-058-J-2

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

- a) City Council Meeting Minutes-Draft – April 13, 2015

J-3 Proposed City of Troy Proclamations:

- a) Proclamation to Commemorate the 100th Anniversary of the Armenian Genocide Presented to Troy Chamber Executive Director Ara Topouzian and Troy Resident Nancy Negohosian

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution #1: Award to Low Bidder – Contract 15-3 – Section 19 Pavement Rehabilitation - North**

Resolution #2015-04-058-J-4a

RESOLVED, That Troy City Council hereby **AWARDS** Contract No. 15-3, Section 19 Pavement Rehabilitation - North, to *Florence Cement Company, 12585 23 Mile Road, Shelby Twp., MI 48315*, for their low total bid amount of \$1,031,802.10.

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, and if additional work is required such additional work is authorized in an amount not to exceed 25% of the total project cost.

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings:

- a) **May 11, 2015 - Adoption of the 2015-16 Annual City Budget and 3-Year Budget**

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:

Troy Resident	Thanked City Council for acknowledging the 100 th Anniversary of the Armenian Genocide
John Taylor	Spoke about the Pinery Woods site condominium project.

Resolution 2015-04-059

Moved by Slater

Seconded by Pennington

RESOLVED, That City Council **WAIVE** *City Council Rule #17 Members of the Public and Visitors* to allow Mr. John Taylor to speak for an additional two (2) minutes.

Yes: Henderson, Hodorek, Pennington, Slater, Gottlieb

No: None

Absent: Campbell, Tietz

MOTION CARRIED

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

Mayor Slater asked City Attorney Lori Bluhm to explain from a legal standpoint what items are presented before the Planning Commission versus City Council. City Attorney Bluhm explained that this item was a site plan review and the Planning Commission is the authority that approves site plan reviews. There is not a lot of discretion for City Council to intervene provided the site plan meets all of the City of Troy Ordinances. City Attorney Bluhm deferred to Mark Miller, Director of Economic and Community Development, to explain the notification process and about revisiting the Tree Preservation Ordinance. Mr. Miller explained that the Zoning Ordinance does not require notification for site plan review. The Planning Department will be informing adjacent property owners of development proposals. The Zoning Ordinance requires that property owners 300 feet from the affected property be notified of Public Hearings.

At the request of the Planning Commission, City Administration is preparing a document about tree preservation, existing conditions, history, potential options, as well as to educate everyone involved. There are approximately four or five ordinances that will be impacted.

Council Member Hodorek spoke about the impact of applause and maintaining decorum during meetings.

Council Member Henderson spoke about the tree preservation ordinance and "difficult properties." He raised concerns that a tree preservation ordinance could cause a parcel

become unsalable or devalued. Mr. Miller indicated that a tree preservation ordinance would specify ways or means to meet requirements not just by saving trees, but possibly provide other trees in other locations. Mr. Miller added that all options will be available or presented to the public, the Planning Commission and City Council

Mr. Gottlieb thanked Mr. Taylor for bringing his concerns before City Council.

Mayor Slater reminded the public that Mr. Kischnick has an open door policy and is willing to meet with residents.

N. COUNCIL REFERRALS:

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

N-1 No Council Referrals

O. COUNCIL COMMENTS:

O-1 No Council Comments Advanced

P. REPORTS:

P-1 Minutes – Boards and Committees:

- a) Civil Service Commission (Act 78) Minutes-Final – February 13, 2015
- b) Downtown Development Authority Minutes-Final – February 18, 2015
- c) Traffic Committee Minutes-Final – March 18, 2015
- d) Civil Service Commission (Act 78) Minutes-Draft – April 13, 2015
Noted and Filed

P-2 Department Reports: None Submitted

P-3 Letters of Appreciation: None Submitted

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

Q. 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):

R. CLOSED SESSION:

R-1 No Closed Session Requested

S. ADJOURNMENT:

The Meeting ADJOURNED at 8:38 PM.



Mayor Dane Slater



M. Aileen Dickson, CMC
City Clerk