

Council Member Henderson 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, September 28, 2015, at City Hall, 500 W. Big Beaver Rd. Mayor Slater called the meeting to order at 7:30 PM.

B. ROLL CALL:

- a) Mayor Dane Slater
Jim Campbell - Absent
Steve Gottlieb
Dave Henderson
Ellen Hodorek
Ed Pennington
Doug Tietz

- b) Excuse Absent Council Members:

Resolution #2015-09-125
Moved by Slater
Seconded by Pennington

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of Mayor Pro Tem Campbell at the Regular City Council Meeting of September 28, 2015, due to being out of the county.

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

MOTION CARRIED

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 Trails and Pathways Update (*Presented by: Kurt Bovensiep, Public Works Manager*)

C-2 Economic Development Activity Update (*Presented by: Glenn Lapin, Economic Development Specialist, and John Kottler, Vice President of Sales – New Image Building Services*)

C-3 LDFA Update (*Presented by: Mark Miller, Director of Economic and Community Development, and Tom Kelly, COO – Automation Alley*)

C-4 City of Troy Employees' Retirement System Fifty-First Annual Actuarial Valuation, City of Troy Incentive Plan for Volunteer Firefighters 35th Annual Actuarial

Valuation and the City of Troy Retiree Health Care Plan Actuarial Valuation of Other Post-Employment Benefits – December 31, 2014 *(Presented by: Tom Darling, Director of Financial Services)*

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:

James Savage	Spoke in support of bike paths and trails
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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, Downtown Development Authority; b) City Council Appointments – Animal Control Appeal Board, Historic District Study Committee, Parks and Recreation Board, Traffic Committee

a) Mayoral Appointments: Brownfield Redevelopment Authority

Resolution #2015-09-126

Moved by Slater

Seconded by Gottlieb

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: 4/30/2018

Charles Salgat

Term currently held by: Theodore Dziurman

Term Expires: 9/30/2018:

Patrick Floch

Term currently held by: Gretchen Waters

Historic District Study Committee

Appointed by Council
3 Members
Ad Hoc

Term Expires: Ad-Hoc

Barbara Chambers

Term Expires: Ad-Hoc

Laurie Huber

Term Expires: Ad-Hoc

Charles Salgat

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

Term Expires: 9/30/2018

Laurie Huber

Term currently held by: Laurie Huber

Term Expires: 9/30/2018

Orestis Rusty Kaltsounis

Term currently held by: Orestis Rusty Kaltsounis

Traffic Committee

Appointed by Council
7 Regular Members
3 Year Term

Unexpired Term Expiring: 1/31/2016

Robert Huber

Term currently held by: Vacancy (O. Apahidean resigned 2/13/15)

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

No: None

Absent: Campbell

MOTION CARRIED

I-2 Board and Committee Nominations: a) Mayoral Nominations – Brownfield Redevelopment Authority; b) City Council Nominations – Animal Control Appeal Board, Charter Revision Committee, Personnel Board

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 Closed Session Requested

I-4 Assignment of the Detroit Water and Sewerage Department Water Contract and Amendments to Chapter 20 (Water Turn Off/On After Hour Fee) of the City Code (Introduced by: Tim Richnak, DPW Director)

RESOLUTION A – APPROVING PROPOSED WATER CONNECTION FEES

Resolution #2015-09-129

Moved by Hodorek

Seconded by Pennington

RESOLVED, That Troy City Council hereby **APPROVES** the following revisions to the Water Connection Fees as recommended by City Management, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, and said fee revision shall be effective upon approval by City Council:

Service Charges	Current
Water Turn off/on - all inclusive	
Regular working hours	\$50.00
After working hours	Flat Rate \$200.00 parts/materials
Meter Install/reinstall **	\$50.00
Meter Pull **	\$50.00
MIU relocate, fix, rewire	
MIU Replacement	\$50.00 + MIU Cost
Damaged/Frozen Meter	\$50.00 + Meter Cost
Meter Testing - High Consumption	\$50.00
Meter Re-seal	\$50.00

** Includes sprinkler meters and residential winterizations

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

No: None

Absent: Campbell

MOTION CARRIED**RESOLUTION B - ASSIGNMENT AGREEMENT WITH THE CITY OF DETROIT AND THE GREAT LAKES WATER AUTHORITY**

Resolution #2015-09-130

Moved by Gottlieb

Seconded by Tietz

WHEREAS, On September 9, 2014, a Memorandum of Understanding Regarding the Formation of the Great Lakes Water Authority was adopted by the City of Detroit, the State of Michigan and the counties of Wayne, Oakland and Macomb; and,

WHEREAS, The Memorandum of Understanding required, among other things, that the City of Detroit and the counties of Wayne, Oakland and Macomb adopt Articles of Incorporation no later than October 10, 2014, and that the City of Detroit and the Great Lakes Water Authority execute a lease agreement regarding the operation and management of the Detroit water supply and sewage disposal systems; and,

WHEREAS, On October 10, 2014, the City of Detroit and the counties of Wayne, Oakland and Macomb adopted the Articles of Incorporation of Great Lakes Water Authority; and,

WHEREAS, On June 12, 2015, the City of Detroit and the Great Lakes Water Authority executed two 40-year lease agreements regarding (1) the operation and management of the Detroit water supply system ("Water Lease") and (2) the operation and management of the Detroit sewage disposal system; and,

WHEREAS, Pursuant to Sections 4.1(a)(i), 4.1(d) and 4.4 of the Water Lease, the City of Detroit assigned and the Great Lakes Water Authority assumed all of Detroit's rights, duties, liabilities, responsibilities and obligations under the wholesale customer water contracts without any impairment to said contracts; and,

WHEREAS, Article III of the Water Lease provides that the effective date of the Water Lease is dependent upon the satisfaction of certain conditions precedent, including obtaining the consent of the wholesale water customers to the assignment of their 30-year water service contracts to the Great Lakes Water Authority pursuant to Section 3.2(j) of the Water Lease; and,

WHEREAS, Pursuant to the Water Lease, and as provided in Article 13 of the Water Service Contract, the City of Detroit has presented an Agreement to Assign Wholesale Customer Water Service Contract between the City of Detroit Water and Sewerage Department, the Great Lakes Water Authority and this community for the assignment of the Water Service Contract with the City of Detroit Water and Sewerage Department to the Great Lakes Water Authority with a request for approval; and,

WHEREAS, The Troy City Council finds it is in the best interests of this community to consent to the assignment of the Water Service Contract to the Great Lakes Water Authority;

NOW THEREFORE BE IT RESOLVED, That the attached Agreement to Assign Wholesale Customer Water Service Contract between the City of Detroit Water and Sewerage Department, the Great Lakes Water Authority, and the City of Troy is **APPROVED**.

BE IT FURTHER RESOLVED, That the City Clerk is **DIRECTED** to send a certified copy of this Resolution and the executed Agreement to Assign Wholesale Customer Water Service Contract to the City of Detroit Water and Sewerage Department.

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

MOTION CARRIED

I-5 Approval of Contract with MDOT for Preliminary Engineering Service for the Reconstruction and Widening of John R, Long Lake to South Boulevard – Project No. 02.203.5 and 02.204.5 (Introduced by: Bill Huotari, Deputy City Engineer)

Resolution #2015-09-131
Moved by Henderson
Seconded by Pennington

RESOLVED, That the Preliminary Engineering Agreement, Contract No. 15-5468, between the City of Troy and the Michigan Department of Transportation for Preliminary Engineering services for John R, Long Lake to South Boulevard, Project No. 02.203.5 and 02.204.5, is hereby **APPROVED** in the amount of \$900,000, with a federal share of \$736,650 and a City share of \$163,350 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.

BE IT FURTHER RESOLVED, That the 3rd Party Agreement, Subcontract No. 15-5468/S1, between the City of Troy and OHM Advisors for preliminary engineering services for John R, Long Lake to South Boulevard, Project No. 02.203.5 and 02.204.5, is hereby **APPROVED** for a not to exceed fee of \$702,501.13, with a federal share estimated at \$574,997 and a City share estimated at \$127,504 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.

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

MOTION CARRIED

I-6 Approval of Suburban Mobility Authority for Regional Transportation and City of Troy Pass Through Agreement for Troy Multi-Modal Transit Center (Introduced by: Lori Grigg Bluhm, City Attorney)

This item has been pulled by City Administration.

J. CONSENT AGENDA:

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

Resolution #2015-09-132-J-1a

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, Tietz, Slater

No: None

Absent: Campbell

MOTION CARRIED

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

J-2 Approval of City Council Minutes

Resolution #2015-09-132-J-2

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

- a) Special Joint City Council and Planning Commission Minutes-Draft–September 14, 2015
 - b) City Council Minutes-Draft – September 14, 2015
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J-3 Proposed City of Troy Proclamations: None Submitted

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 5: Approval to Expend Budgeted Funds – Avondale Youth Assistance**

Resolution #2015-09-132-J-4a

RESOLVED, That Troy City Council hereby **APPROVES** the expenditure of funds budgeted in the 2015/2016 fiscal year to the Avondale Youth Assistance to provide diversion programs and community services to the residents of the City of Troy at a cost of \$2,500.00 which shall be paid in one installment.

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the agreements to fund these services, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

b) Standard Purchasing Resolution 5: Approval to Expend Budgeted Funds – Troy Youth Assistance

Resolution #2015-09-132-J-4b

RESOLVED, That Troy City Council hereby **APPROVES** the expenditure of funds budgeted in the 2015/2016 fiscal year to the Troy Youth Assistance to provide diversion programs and community services to the residents of the City of Troy at a cost of \$10,000.00 which shall be paid in quarterly installments.

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the agreements to fund these services, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

c) Standard Purchasing Resolution 5: Approval to Expend Budgeted Funds – Troy Community Coalition

Resolution #2015-09-132-J-4c

RESOLVED, That Troy City Council hereby **APPROVES** the expenditure of funds budgeted in the 2015/2016 fiscal year to the Troy Community Coalition to provide community services to prevent drug and alcohol abuse in the amount of \$25,000.00.

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the agreements to fund these services, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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

Resolution #2015-09-132-J-4d

RESOLVED, That Troy City Council hereby **APPROVES** a contract to purchase one (1) 2015 John Deere 190G wheeled excavator from *JDE Equipment/AIS Construction Equipment, of Grand Rapids, MI*, through the State of Michigan MiDEAL Program for an estimated total cost of \$233,216.00 less trade-in allowance of \$7,000.00 or better for the 1997 Badger wheeled excavator for an estimated net total cost of \$226,216.00.

e) Standard Purchasing Resolution 4: Cooperative Contract Awards – Upgrade and Expansion of Disk Based Backup System

Resolution #2015-09-132-J-4e

WHEREAS, The Information Technology Department utilizes a disk based backup system that is currently at capacity;

THEREFORE BE IT RESOLVED, That Troy City Council hereby **APPROVES** a contract to purchase one (1) ExaGrid EX32000SEC encrypted disk backup system from *CDW-G, of Chicago, IL*, through the NIPA Cooperative Contract #130733 for an estimated total cost of

\$38,000.00 less trade-in allowance of \$4,000.00 for the trade-in of existing devices and 3 years of maintenance for \$15,000.00 for an estimated total cost of \$49,000.00; with ongoing annual maintenance at \$5,000.00 per year after the initial 3 years.

J-5 Request for Acceptance of Five Permanent Easements from Sterling Construction, Inc. – Sidwell #88-20-10-477-050 and 051

Resolution #2015-09-132-J-5

RESOLVED, That Troy City Council hereby **ACCEPTS** five permanent easements for sanitary sewers, public utilities, storm sewers and surface drainage, and sidewalks from Sterling Construction, Inc., owner of the property having Sidwell #88-20-10-477-050 & 051.

BE IT FURTHER RESOLVED, That the City Clerk is hereby **DIRECTED** to record the permanent easements with Oakland County Register of Deeds, copies of which shall be **ATTACHED** to the original Minutes of this meeting.

J-6 Request for Acceptance of a Permanent Easement from Daniel V. and Joanna F. Pap – Sidwell #88-20-21-101-010

Resolution #2015-09-132-J-6

RESOLVED, That Troy City Council hereby **ACCEPTS** a permanent easement for sanitary sewer from Daniel V. Pap and Joanna F. Pap, owners of the property having Sidwell #88-20-21-101-010.

BE IT FURTHER RESOLVED, That the City Clerk is hereby **DIRECTED** to record the permanent easement with Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-7 Request for Acceptance of a Permanent Easement and Two Warranty Deeds from BB Investments, LLC - Sidwell #88-20-20-103-001 to 012

Resolution #2015-09-132-J-7

RESOLVED, That Troy City Council hereby **ACCEPTS** five permanent easements for water mains, non-access greenbelt and landscaping, public utilities, storm sewer and surface drainage, and signage as well as two warranty deeds for right-of-way and a storm water detention area from BB Investments, LLC owner of the property having Sidwell #88-20-20-103-001 to 012.

BE IT FURTHER RESOLVED, That the City Clerk is hereby **DIRECTED** to record the permanent easements and warranty deeds with Oakland County Register of Deeds, copies of which shall be **ATTACHED** to the original Minutes of this meeting.

J-8 Request to Vacate a Portion of an Existing Sanitary Sewer Easement and Accept a Sanitary Sewer Easement from Hannawa Holdings, Benton Harbor, LLC – Sidwell #88-20-24-476-005

Resolution #2015-09-132-J-8

RESOLVED, That Troy City Council hereby **VACATES** a portion of sanitary sewer previously recorded in L6866, Page 205 by Quit Claim Deed.

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Mayor and City Clerk to execute a Quit Claim Deed conveying interest of that portion of sanitary sewer previously recorded to the property owners, Hannawa Holdings, Benton Harbor, LLC.

BE IF FURTHER RESOLVED, That Troy City Council hereby **ACCEPTS** a permanent easement for sanitary sewers from Hannawa Holdings, Benton Harbor, LLC, owner of the property having Sidwell #88-20-24-476-005.

BE IT FINALLY RESOLVED, That the City Clerk is hereby **DIRECTED** to record the Quit Claim Deed and permanent easement with Oakland County Register of Deeds, copies of which shall be **ATTACHED** to the original Minutes of this meeting.

J-9 Traffic Committee Recommendations and Minutes – September 16, 2015

Resolution #2015-09-132-J-9

7. Request for Traffic Control – Braemar at Aberdeen

RESOLVED, That Troy City Council hereby **AUTHORIZES** the intersection of Braemar at Aberdeen be modified from NO traffic control to ONE-WAY STOP control with a sign on the northbound Aberdeen Drive approach to Braemar.

J-10 Private Agreement – Contract for Installation of Municipal Improvements – Golden Gate Plaza Sanitary Sewer Relocation – Project No. 15.405.3

Resolution #2015-09-132-J-10

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and *Tower Construction*, is hereby **APPROVED** for the installation of sanitary sewer 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-11 Budget Appropriation – Local and Major Road Concrete Slab Replacement

Resolution #2015-09-132-J-11

BE IT RESOLVED, That Troy City Council hereby **AUTHORIZES** City Management to appropriate two transfers that include supplementary and carryover funds of \$1.5 million and \$1.2 million from the General Fund to the Capital Projects Fund and the related appropriation

from the Capital Fund, which will allow the city to take advantage of 2015 pricing and continue focusing on neighborhood concrete segment replacement and to successfully complete Troy Roads Rock 2, respectfully.

J-12 Suggested Resolution to Schedule a Joint Study Session on Monday, October 12, 2015, Between the Troy City Council and Troy Planning Commission at 6:00 PM for the Purpose of Discussing Common Issues Related to the Master Plan Planning and Development

Resolution #2015-09-132-J-12

RESOLVED, That a Joint Study Meeting is **SCHEDULED** for Troy City Council and Troy Planning Commission for the purpose of discussing common issues related to the Master Plan planning and development on Monday, October 12, 2015, at 6:00 PM in the Council Boardroom at 500 W. Big Beaver Road, Troy, MI 48084.

J-13 Sale of Equipment – Surplus Police Vehicles

Resolution #2015-09-132-J-13

WHEREAS, Mott Community College has expressed an interest in purchasing two (2) out of service 2011 Ford Crown Victorias with 90,000 miles for use on their driving course to provide Emergency Vehicle Operations (EVO) training for Mott Police Academy cadets and in-service police officers; and,

WHEREAS, Police Recruits utilize the Mott Police Academy for basic police academy training and police departments will soon send in-service officers for Basic EVO refresher course; and,

WHEREAS, To validate the fair market value of these surplus vehicles, prior auctions were reviewed and it was determined the fair market value to be estimated at \$9,500.00 after auction fees;

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council hereby **WAIVES** formal auction procedures and **AUTHORIZES** the City of Troy to sell two (2) 2011 Ford Crown Victoria police vehicles for the fair market value of \$9,500.00 to Mott Community College for the purpose of providing Emergency Vehicle Operations for Mott Police Academy.

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** City staff to ensure the appropriate transfer of the vehicle titles to Mott Community College.

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) 2016 City Council Meeting Schedule

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

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

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 Council Comments

Council Member Hodorek commented on Chief Nelson's retirement and the collaboration she has witnessed in City staff between new employees and experienced employees.

Council Member Henderson commented about the Scare Crow Glow at the Troy Historic Village.

Mayor Slater commented on J-11 and the importance of repair to the roadway on South Blvd between Crooks and John R. He said that stretch of roadway needs to be a priority, and asked City Administration to find funding for that project. Mr. Kischnick commented that he has made contact with Oakland County already, and that Oakland County and Rochester Hills have come together with Troy to work on South Blvd.

P. REPORTS:

P-1 Minutes – Boards and Committees:

- a) Zoning Board of Appeals-Final – May 19, 2015
- b) Planning Commission-Draft – August 25, 2015
- c) Planning Commission-Final – August 25, 2015
- d) Zoning Board of Appeals-Draft – September 15, 2015
Noted and Filed

P-2 Department Reports:

- a) Letter of Resignation from William R. Need – Ex-Officio Member of the Employee Retirement System
- b) Information from the City of Detroit Water and Sewerage Department to Assist in Great Lakes Water Authority Contract Assignment Deliberations
- c) City of Troy Employees Retirement System Fifty-First Annual Actuarial Valuation – December 31, 2014
- d) City of Troy Incentive Plan for Volunteer Firefighters 35th Annual Actuarial Valuation – December 31, 2014

Noted and Filed

P-3 Letters of Appreciation:

- a) To Brian Kischnick, City Manager, from Marie Couch Regarding Connecting to the Clinton River Trail from City Hall
- b) To Brian Kischnick, City Manager, from Mark Calice Regarding Professionalism of Troy Police Officers Joe Morgan and Russ Barrows
- c) Letter from Trisha Shapiro with Positive Feedback Regarding Brian Kischnick, City Manager, and Kurt Bovensiep, Public Works Manager, Taking Time to Talk About Troy Trails with Residents

Noted and Filed

P-4 Proposed Proclamations/Resolutions from Other Organizations: None Submitted**P-5 Notice of Hearing for the Electric Customers of DTE Electric Company Case No. U-17804**

Noted and Filed

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):

David Zuza	Commented on the Scare Crow Glow dinner fundraiser at the Troy Historic Village on Wednesday, September 30 th from 6:00-9:00 PM. Tickets can be purchased on the website at troyhistoricvillage.org .
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R. CLOSED SESSION:**R-1 No Closed Session Requested****S. ADJOURNMENT:**

The Meeting **ADJOURNED** at 8:34 PM.

Mayor Dane Slater

M. Aileen Dickson, CMC
City Clerk