Council Member Baker 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, February 22, 2016, at City Hall, 500 W. Big Beaver Rd. Mayor Slater called the meeting to order at 7:31 PM.

B. CALL TO ORDER:

C. ROLL CALL:

a) Mayor Dane Slater
Edna Abrahim
Ethan Baker
Jim Campbell
Dave Henderson
Ellen Hodorek
Ed Pennington

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 **Recognition to Rick Greenwell, Honored as the State Champ in the AWWA Meter Madness Competition at the Annual American Water Works Association and Michigan Water Environmental Association Conference in Lansing on February 2, 2016** ***(Presented by: Mayor Dane Slater)***

C-2 **2016 Breaking Bad Retreat Invitation** ***(Introduced by: City Manager Brian Kischnick)***

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:

Jim Werpetinski	Spoke about N-01 and in support of the Woodlands Protection Ordinance
Phil Sanzica	Spoke about N-01 and in support of the Woodlands Protection Ordinance

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 – Zoning Board of Appeals

a) Mayoral Appointments: None

b) City Council Appointments:

Resolution #2016-02-031
Moved by Pennington
Seconded by Henderson

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

Zoning Board of Appeals
Appointed by Council
7 Regular Members
3 Year Term

Term Expires: 12/31/2016	**Philip Sanzica (PC Rep on ZBA)**	*Nomination by Planning Commission*
	Term currently held by: Philip Sanzica	

Yes: All-7
No: None

MOTION CARRIED

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

a) Mayoral Nominations: None

b) City Council Nominations: None

I-3 No Closed Session Requested

J. CONSENT AGENDA:

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

Resolution #2016-02-032-J-1a
Moved by Henderson
Seconded by Abrahim

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 #2016-02-032-J-2

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

a) City Council Minutes-Draft – February 8, 2016

J-3 Proposed City of Troy Proclamations: None Submitted

J-4 Standard Purchasing Resolutions:

a) Standard Purchasing Resolution 4: Cooperative Contract Award – Survey Equipment

Resolution #2016-02-032-J-4a

RESOLVED, That Troy City Council hereby **APPROVES** a contract to purchase survey equipment through the MiDeal Cooperative Bid Contract ID number (Bid #071B7200014) from *Leica Geosystems of Fenton, MI,* for an estimated total cost of $20,110.45, not to exceed budgetary limitations and not to exceed the allowable equipment expenditure through the details of the SAW Grant, and at unit prices contained in the quote received February 3, 2016; 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.

b) Standard Purchasing Resolution 2: Award to Low Bidder Meeting Specifications – Roof Replacement for the Nature Center

Resolution #2016-02-032-J-4b

RESOLVED, That Troy City Council hereby **AWARDS** a contract to re-roof the Troy Nature Center to the low bidder meeting specifications, *Great Lakes Roofing, Inc., of Troy, MI,* for an estimated total amount of $32,800.00 at unit prices contained in the bid tabulation opened January 28, 2016; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon the contractor's submission of properly executed bid and contract documents, including Insurance Certificates, Performance, Labor and Material Bonds, Maintenance Bonds and all other specified requirements.

c) Standard Purchasing Resolution 1: Award to Low Bidder – Contract 16-2 – Section 4 Asphalt Resurfacing

Resolution #2016-02-032-J-4c

RESOLVED, That Troy City Council hereby **AWARDS** Contract No. 16-2, Section 4 Pavement Rehabilitation (Asphalt Resurfacing), to *Cadillac Asphalt LLC, 4751 White Lake Road, Clarkston, MI 48346,* for their low total bid amount of $1,113,987.34.

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.

J-5 Private Agreement – Contract for Installation of Municipal Improvements – DTE Doyle – Project No. 15.908.3

Resolution #2016-02-032-J-5

RESOLVED, That Troy City Council hereby **APPROVES** the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and *DTE Electric Company* for the installation of water main, paving, sidewalks, soil erosion and landscaping, 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-6 Request for Approval to Sell a City Owned Remnant Parcel Located in Section 22 - Sidwell #88-20-22-358-028

Resolution #2016-02-032-J-6

RESOLVED, That Troy City Council hereby **ACCEPTS** the Offer to Purchase from Kevin Baird to purchase the vacant parcel owned by the City of Troy identified with Sidwell #88-20-22-358-028 in the amount of $36,000.

BE IT FURTHER RESOLVED, That Troy City Council hereby **WAIVES** the requirement as set by the Remnant Parcel Policy as found in City Council Resolution #2007-01-028 that the purchaser provide a conceptual site plan submission prior to the purchase of the property.

BE IT FURTHER RESOLVED, That the Engineering Department may **EXPEND** the necessary funds for title insurance and recording fees, to be taken from the proceeds of said sale.

BE IT FURTHER RESOLVED, That the Mayor and City Clerk are **AUTHORIZED** to sign the Offer to Purchase and **EXECUTE** a Warranty Deed on behalf of the City of Troy to be delivered at closing.

BE IT FINALLY RESOLVED, That the City Administration is hereby **DIRECTED** to record said Warranty Deed, including all attachments, at the Oakland County Register of Deeds, a copy of which shall be **ATTACHED** to and made part of the original Minutes of this meeting.

J-7 Request for Approval of Relocation Claim and Replacement Housing Determination Costs - John R Road Improvement Project, Square Lake to South Boulevard - Project No. 02.204.5 – Parcel 48 – Sidwell #88-20-02-228-011

Resolution #2016-02-032-J-7

RESOLVED, That Troy City Council **APPROVES** the relocation benefit payments for resident owners relocated from property required for the John R Road Improvement project, from Square Lake Road to South Boulevard.

BE IT FURTHER RESOLVED, That City Council **APPROVES** a Relocation Claim in the amount of $6,054.56 and a Replacement Housing Determination payment in the amount of $8,000.

BE IT FINALLY RESOLVED, That Troy City Council hereby **AGREES** to pay relocation benefits in the total amount of $14,054.56 to Awni and Fadi Abu-Joudeh, the resident owners displaced from 6769 John R.

J-8 Request for Acceptance of Three Permanent Easements from Emergency Egress, LLC – Sidwell #88-20-27-429-049 and 050

Resolution #2016-02-032-J-8

RESOLVED, That City Council hereby **ACCEPTS** three permanent easements for sidewalk, storm sewers and surface drainage from *Emergency Egress, LLC*, owner of the properties having Sidwell #88-20-27-429-049 & 050.

BE IT FURTHER RESOLVED, That the City Clerk is hereby **DIRECTED** to record the permanent easements with Oakland County Register of Deeds, and copies 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:

a) March 14, 2016 – Zoning Ordinance Text Amendment (File Number: ZOTA 247) – Oil and Gas Extraction

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:

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 Motion for Reconsideration for a Revised Woodlands Protection Ordinance as Requested by Mayor Dane Slater and Council Member Jim Campbell

A. Motion for Reconsideration:

Resolution #2016-02-033
Moved by Campbell
Seconded by Hodorek

BE IT RESOLVED, That upon the request of Mayor Slater and Council Member Campbell and the Troy Planning Commission, and as allowed by the City Council Rules of Procedure #11, the Troy City Council **AGREES** to **RECONSIDER** its vote on Resolution #2016-02-013, based on a revised proposal. The resolution for reconsideration is as follows:

Resolution #2016-02-013
Moved by Slater
Seconded by Abrahim

RESOLVED, That Articles 8 and 13 of Chapter 39 of the Code of the City of Troy, which includes miscellaneous provisions related to woodland protection, be ***AMENDED*** *to read as written in the proposed Zoning Ordinance Text Amendment (ZOTA 248), City Council Public Hearing Draft, as recommended by the Planning Commission.*

Yes: Abrahim, Hodorek, Slater
No: Baker, Campbell, Henderson, Pennington

MOTION FAILED

Yes: Campbell, Hodorek, Slater, Abrahim
No: Baker, Henderson, Pennington

MOTION CARRIED

B. Motion for Approval of Amended Proposed Woodlands Protection Ordinance Provisions:

Moved by Campbell
Seconded by Abrahim

NOW, THEREFORE, BE IT RESOLVED, That Articles 8 and 13 of Chapter 39 of the Code of the City of Troy, which includes miscellaneous provisions related to woodland protection, be **AMENDED** to read as written in the attached proposed Zoning Ordinance Text Amendment (ZOTA 248), City Council Red Lined Public Hearing Draft, which is an amendment from the draft recommended by the Planning Commission, since this proposed amendment deletes Chapter 39, Sections 13.07.F.2.c and 13.07.F.3, which was the option to allow cash deposits in lieu of woodland preservation, mitigation or replacement.

Motion by Council Member Henderson to AMEND *Item N-1 B. Motion for Approval of Amended Proposed Woodlands Protection Ordinance Provisions*

Resolution #2016-02-034
Moved by Henderson
Seconded by Pennington

RESOLVED, That Troy City Council hereby **AMENDS** *Item N-1 B. Motion for Approval of Amended Proposed Woodlands Protection Ordinance Provisions* to add the following provisions to the Amended Proposed Woodlands Protection Ordinance:

1. A cap for tree replacement in the amount of $10,000.00 so builders can be aware of the upfront potential costs when considering purchasing a plot of land in Troy.
2. Each homeowner that moves into a new subdivision built by a developer is responsible for planting three (3) trees the following spring after closing if the developer did not leave at least three (3) trees on that parcel
3. City of Troy Arborist is responsible for tagging and qualifying every tree over 6” on the parcels in the development. The Arborist is responsible for making the determination for the trees required to stay.

Yes: Henderson, Pennington, Baker
No: Campbell, Hodorek, Slater, Abrahim

MOTION FAILED

Vote on Original *Item N-1 B. Motion for Approval of Amended Proposed Woodlands Protection Ordinance Provisions*:

B. Motion for Approval of Amended Proposed Woodlands Protection Ordinance Provisions:

Resolution #2016-02-035
Moved by Campbell
Seconded by Abrahim

NOW, THEREFORE, BE IT RESOLVED, That Articles 8 and 13 of Chapter 39 of the Code of the City of Troy, which includes miscellaneous provisions related to woodland protection, be **AMENDED** to read as written in the attached proposed Zoning Ordinance Text Amendment (ZOTA 248), City Council Red Lined Public Hearing Draft, which is an amendment from the draft recommended by the Planning Commission, since this proposed amendment deletes Chapter 39, Sections 13.07.F.2.c and 13.07.F.3, which was the option to allow cash deposits in lieu of woodland preservation, mitigation or replacement.

Yes: Hodorek, Slater, Abrahim, Campbell
No: Henderson, Pennington, Baker

MOTION CARRIED

C. Motion Referring Cluster Option Review to Planning Commission:

Resolution #2016-02-036
Moved by Slater
Seconded by Campbell

NOW, THEREFORE, BE IT RESOLVED, That the Troy City Council **REFERS** the zoning ordinance provisions concerning cluster developments to the Troy Planning Commission, and **REQUESTS** that a proposed enhanced cluster option zoning text amendment be presented to the Troy City Council at the earliest possible date.

Yes: All-7
No: None

MOTION CARRIED

O. COUNCIL COMMENTS:

O-1 Council Comments

Council Member Hodorek commented on the 1-year anniversary of the passing of Anthony Pallotta.

P. REPORTS:

P-1 Minutes – Boards and Committees:

a) Election Commission-Final – September 25, 2015
b) Building Code Board of Appeals-Final – December 2, 2015
c) Building Code Board of Appeals-Final – January 20, 2016
d) Planning Commission-Final – January 26, 2016
e) Building Code Board of Appeals-Draft – February 3, 2016
f) Election Commission-Draft – February 10, 2016

Noted and Filed

P-2 Department Reports:

a) SOCRRA Quarterly Report – January, 2016
b) Update: Sale of Surplus City Parcels

Noted and Filed

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

S. ADJOURNMENT:

The Meeting **ADJOURNED** at 8:24 PM.

Mayor Dane Slater

M. Aileen Dickson, MMC
City Clerk