

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, August 8, 2016, at City Hall, 500 W. Big Beaver Rd. Mayor Slater called the meeting to order at 7:31 PM.

**B. ROLL CALL:**

- a) Mayor Dane Slater  
Edna Abraham  
Ethan Baker  
Jim Campbell  
Dave Henderson  
Ellen Hodorek  
Mayor Pro Tem Ed Pennington

- b) Excuse Absent Council Members:

Resolution #2016-08-125  
Moved by Slater  
Seconded by Pennington

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of Council Member Campbell at the Special City Council Meeting of July 27, 2016 due to being out of the county.

Yes: All-7  
No: None

**MOTION CARRIED**

**C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:**

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**C-1** SAFEbuilt Scholarship Presentation to Eva Lisowski and Meghan Romig (*Presented by: Paul Featherston, SAFEBuilt Building Official, and Cindy Stewart, Community Affairs Director*)

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**C-2** Troy Construction Update (*Presented by: David Bluhm, Management Assistant*)

**D. CARRYOVER ITEMS:**

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**D-1** No Carryover Items

**E. PUBLIC HEARINGS:**

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**E-1** No Public Hearings

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

David Ashland	Commented on item N-01
Craig Lange	Commented on item N-01

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

Council Member Baker	Responded that he strongly disagrees with Mr. Lange's comments as the author of the subject report of N-01 and attorney client privilege. He commented that he feels it was very inappropriate for Mr. Lange to comment on attorney client privilege.
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**H. POSTPONED ITEMS:**

**H-1 No Postponed Items**

**I. REGULAR BUSINESS:**

**I-1 Board and Committee Appointments: a) Mayoral Appointments – Global Troy Advisory Committee; b) City Council Appointments – None**

**a) Mayoral Appointments:**

Resolution #2016-08-126  
 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:

**Global Troy Advisory Committee**

Appointed by Mayor  
 11 Regular Members  
 3 Year Term

**Term Expires: 4/30/2019**

**Rouba Samman**

Yes: All-7  
 No: None

**MOTION CARRIED**

**b) City Council Appointments: None**

**I-2 Board and Committee Nominations: a) Mayoral Nominations – Global Troy Advisory Committee; b) City Council Nominations –Parks & Recreation Board**

**a) Mayoral Nominations:**

Resolution #2016-08-127  
Moved by Slater  
Seconded by Baker

RESOLVED, That the Mayor of the City of Troy 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:

**Global Troy Advisory Committee**

Appointed by Mayor  
11 Regular Members  
3 Year Term

**Nominations to the Global Troy Advisory Committee:**

<b><u>Term Expires: 4/30/2017</u></b>	Venkatesan Balaraman	
<b><u>Term Expires: 4/30/2018</u></b>	Samir Bagri	

Yes: All-7  
No: None

**MOTION CARRIED**

**b) City Council Nominations:**

Resolution #2016-08-128  
Moved by Pennington  
Seconded by Baker

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:

**Parks and Recreation Board**

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

**Nominations to the Parks and Recreation Board:**

<b><u>Term Expires: 7/31/2017</u></b>	<b>Gary Hauff</b>	<b>(TSD Rep.)</b>
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Term currently held by: Gary Hauff

Yes: All-7  
No: None

### MOTION CARRIED

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#### I-3 No Closed Session Requested

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#### I-4 Budget Amendment Fiscal Year 2017 – Roll Forward Fiscal Year 2016 Budget for Community Development Block Grant Funds and Transfer to the Capital Fund for Redwood Park *(Presented by: Cindy Stewart, Community Affairs Director, Tom Darling, Financial Services Director, and Kurt Bovensiep, Public Works Director)*

Resolution #2016-08-129

Moved by Henderson

Seconded by Abraham

RESOLVED, That Troy City Council hereby **APPROVES** rolling the unspent fiscal 2016 appropriation for the installation of four Pickleball Courts as a budget amendment to the fiscal 2017 Community Development Block Grant Fund and then be transferred to and expended from the Capital Fund in the amount of \$40,000 (rounded for budget purposes).

Yes: All-7  
No: None

### MOTION CARRIED

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#### I-5 Guaranteed Maximum Price and 2016/17 Budget Amendment – Fire Station #4 – Project No. 16.917.3 *(Presented by: Fire Chief Dave Roberts)*

Resolution #2016-08-130

Moved by Pennington

Seconded by Hodorek

RESOLVED, That Troy City Council hereby **APPROVES** the \$3,607,250 Guaranteed Maximum Price submitted by The Dailey Company for the construction of Fire Station #4, which includes \$540,990 previously approved for construction manager services; and

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

BE IT FINALLY RESOLVED, That a budget amendment to the Capital Projects Fund for Fire Station #4 in the amount of \$849,730 and amendment to the transfer from the General Fund to the Capital Projects Fund of \$563,860 **BE MADE**.

Yes: All-7

No: None

## MOTION CARRIED

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**I-6 Frightful 5-K Traffic Control Plan (Presented by: Eleanor Yoon, Management Assistant, David Bluhm, Management Assistant, and Sarah Davis, Recreation Assistant)**

Resolution #2016-08-131

Moved by Baker

Seconded by Abraham

WHEREAS, On October 23, 2016, the City Administration plans to host the first Frightful 5K as part of the Move Across Troy initiative; and,

WHEREAS, The 5K route requires road closures on two Oakland County roads (Livernois and Big Beaver Road), two city roads on the civic center campus (Town Center and Civic Center Drive), and six side streets on the north side of Big Beaver (Louis, Troy, Frankton, Helena, Talbot and Kilmer) from 7 AM to noon; and,

WHEREAS, Due to the short duration of the closures, an official, signed detour route will not be necessary, but a traffic control plan under the direction of the Troy Police Department will be utilized;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** hosting of the first Frightful 5K on October 23, 2016.

BE IT FURTHER RESOLVED, That Troy City Council **AUTHORIZES** the permit application for temporary county road closure.

BE IT FINALLY RESOLVED, That Troy City Council **APPROVES** the road closures and the traffic control plan, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7

No: None

## MOTION CARRIED

### J. CONSENT AGENDA:

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

Resolution #2016-08-132-J-1a

Moved by Henderson

Seconded by Abraham

RESOLVED, That Troy City Council hereby **APPROVES** all items on the Consent Agenda as presented in the agenda and with the correction to J-5.

Yes: All-7  
No: None

**MOTION CARRIED**

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

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**J-2 Approval of City Council Minutes**

Resolution #2016-08-132-J-2

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

- a) Special City Council Minutes-Draft – July 20, 2016
- b) City Council Minutes-Draft – July 20, 2016
- c) Special City Council Minutes-Draft – July 27, 2016

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**J-3 Proposed City of Troy Proclamations: None Submitted**

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**J-4 Standard Purchasing Resolutions: None Submitted**

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**J-5 Request for Acceptance of Four Permanent Easements from GFA Development, Inc. Sidwell #88-20-28-477-042 and 043**

Resolution #2016-08-132-J-5

RESOLVED, That City Council hereby **ACCEPTS** four permanent easements for storm sewer & surface drainage and sidewalks, from GFA Development, owner of the property having Sidwell #88-20-28-477-042 & 043.

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

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**J-6 Traffic Committee Recommendations and Minutes – July 20, 2016**

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Resolution #2016-08-132-J-6

**3. Request for No Parking Zone – 6660 John R – South side of Stirling, east of John R**

RESOLVED, That **NO CHANGE** be made at 6660 John R.

**4. Request for No Parking Zone – 3557 Delaware – West side of Delaware, south of McManus**

RESOLVED, That a NO PARKING zone be **ESTABLISHED** on the west side of Delaware, from the southern edge of the sidewalk ramp at the corner of Delaware and McManus to a point approximately twenty (20) feet to the south.

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**J-7 Suggested Resolution to Re-Schedule a Joint Meeting Between the Troy City Council and the Troy School Board on Monday, October 10, 2016 at 6:00 PM in the Council Boardroom**

Resolution #2016-08-132-J-7

WHEREAS, Several Troy School Board members are unable to attend the original scheduled meeting date of August 8, 2016;

BE IT RESOLVED, That a Joint Meeting is re-scheduled between the Troy City Council and the Troy School Board on Monday, October 10, 2016 at 6:00 PM in the City Council Boardroom, 500 W. Big Beaver Road, Troy, MI 48084.

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**J-8 Subrecipient Agreement Between Oakland County and City of Troy for 2016 Medical Marihuana Operation and Oversight Grant**

Resolution #2016-08-132-J-8

WHEREAS, The Oakland County Narcotic Enforcement Team (NET) is a multi-jurisdictional drug enforcement task force charged with the responsibility of investigating drug trafficking within Oakland County and Southeastern Michigan. The purpose of the task force is to detect and apprehend persons who violate narcotic and drug laws; and,

WHEREAS, Troy Police Department provides a full-time investigator for participation in NET; and,

WHEREAS, NET has entered into a Grant agreement with the State of Michigan whereby NET investigators are eligible to receive reimbursement for qualifying NET-related costs, including overtime costs; and,

WHEREAS, A Subrecipient Agreement between Oakland County and City of Troy is required for purposes of receiving reimbursement for qualifying costs associated with the Troy PD investigator assigned to NET;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the attached 2016 Medical Marihuana Operation and Oversight Grant Subrecipient Agreement between Oakland County and City of Troy.

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Chief of Police to sign the 2016 Medical Marihuana Operation and Oversight Grant Subrecipient Agreement between Oakland County and City of Troy, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

**K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:**

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**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:**

Katrina Leontyeva	Commented on Chapter 20 in relation to her property
Matt Martin	Commented on condominium development near his subdivision and objects to additional access to his subdivision
Ryan Johnson	Commented on his residential tax assessment

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

City Manager Kischnick	Responded that Mr. Miller will speak with the resident regarding Chapter 20 enforcement. He also commented that Mr. Miller will also speak with the resident regarding the street access to the subdivision.
Mayor Slater	Responded that City Council does not have authority over the tax assessment issue and it is the State of Michigan who would handle that appeal.

**N. COUNCIL REFERRALS:**

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

**N-1 Council Referral from Council Member Abraham – Resolution to Waive Attorney Client Privilege**

Resolution #2016-08-133  
 Moved by Abraham  
 Seconded by Campbell

WHEREAS, On June 9, 2016, the Troy City Council was informed that a City employee raised concerns about some expenditures that were made during the preceding months by the Troy City Manager; and,

WHEREAS, The Troy City Council immediately authorized the referral of this matter to a labor and employment law attorney for an independent, thorough and detailed review of the articulated concerns; and,

WHEREAS, The Troy City Council has been presented with a detailed, attorney-client privileged communication in regards to this matter; and,

WHEREAS, The Troy City Council has the ability to waive attorney-client privilege;

THEREFORE, BE IT RESOLVED, That the Troy City Council **WAIVES** the attorney-client privilege on the communication that examines the articulated concerns regarding the City Manager and **AUTHORIZES** the release of the report and exhibits, which shall be redacted as allowed under the Freedom of Information Act. A redacted copy of this communication shall be **ATTACHED** to the Minutes of this meeting, and can be released in response to any request from a governmental entity, media source, or a Freedom of Information Act request.

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

## MOTION FAILED

## O. COUNCIL COMMENTS:

### O-1 Council Comments

Council Member Henderson commented on an opportunity from Congressman Trott for young people interested in entering the Uniformed Services.

## P. REPORTS:

### P-1 Minutes – Boards and Committees:

- a) Animal Control Appeal Board-Final – May 25, 2016
  - b) Traffic Committee-Final – June 15, 2016
  - c) Zoning Board of Appeals-Final – June 21, 2106
  - d) Animal Control Appeal Board-Draft – June 27, 2016
  - e) Building Code Board of Appeals-Final – July 6, 2016
  - f) Planning Commission-Final – July 12, 2016
  - g) Zoning Board of Appeals-Draft – July 19, 2016
  - h) Planning Commission-Draft – July 26, 2016
- Noted and Filed

### P-2 Department Reports:

- a) Master Plan Update – Approval of Draft Master Plan
  - b) Traffic Management – Southeast Oakland County Crash Investigation Team (SOCCIT)
  - c) Building Department Activity Report – July, 2016
  - d) Purchase Ratification
- Noted and Filed

### P-3 Letters of Appreciation:

- a) To Cathy Russ from Gail Madziar, Executive Director of Michigan Library Association (MLA) Regarding Participation in the MLA Mentor Program
  - b) To Chief Mayer from Ken Loftus Regarding Professionalism of Officers Rockafellow and LaForest
  - c) To Chief Mayer from Sgt. David Scott, Clawson Police Department, Regarding Assistance from Sgt. Gobler and DPU Officers During the Fireworks
- Noted and Filed

**P-4 Proposed Proclamations/Resolutions from Other Organizations:**

- a) Resolution from the City of Madison Heights in Opposition to Veto Senate Bill 557  
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):**

Lorraine Campbell	Thanked the City Council and City Management for support of the Troy Traffic Jam event hosted by the Troy Historical Society
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**R. CLOSED SESSION:**

- R-1 No Closed Session**

**S. ADJOURNMENT:**

The Meeting **ADJOURNED** at 9:21 PM.



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Mayor Dane Slater



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M. Aileen Dickson, MMC  
City Clerk