

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, January 28, 2019, 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
- Edna Abraham
- Mayor Pro Tem Ethan Baker
- David Hamilton
- Dave Henderson
- Ellen Hodorek
- Ed Pennington

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

- C-1** Scenic Michigan Hero 2018 Award Winner Presented to the City of Troy and Troy Resident, Alec Peeples (*Presented by: Erica Briggs, Executive Director, Scenic Michigan*)

(Presentation rescheduled to the February 11, 2019 Regular City Council Meeting due to the weather.)

- C-2** On Behalf of the City of Troy Employees' Casual for a Cause Program for the Months of November and December 2018, Community Affairs Director Cindy Stewart Will Present a Check in the Amount of \$729.00 to Boys & Girls Club of Troy Executive Director Jeff Evans

(Presentation rescheduled to the February 11, 2019 Regular City Council Meeting due to the weather.)

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:

John Kulesz	Commented on Item I-4 and the former City Manager
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G. CITY COUNCIL/CITY ADMINISTRATION RESPONSE/REPLY TO PUBLIC COMMENT:

Council Member Henderson	Commented on the former City Manager and the 2016 City Manager Report
Council Member Pennington	Commented on the FBI investigation and the US Attorney Memorandum; asked City Attorney Bluhm if there were any criminal activities in the 2016 City Manager Report
City Attorney Bluhm	Commented that the issue of the driveway was part of the US Attorney Memorandum but that information was not known prior to the FBI investigation; commented that there were no criminal activities in the 2016 City Manager Report; she said that the City did not pay for the repairs to the vehicle
Council Member Henderson	Commented that it is only his own business who stays at his house and for how long; commented that he was interviewed by the FBI for one and half hours last summer, and there was nothing criminal uncovered by the FBI
Mayor Slater	Commented that he hopes the City can move forward and he apologized to the students in the audience

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 – Zoning Board of Appeals

a) Mayoral Appointments:

Resolution #2019-01-006
 Moved by Slater
 Seconded by Baker

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: 9/05/2019

Hemanth Tadepalli

STUDENT

Term currently held by: Claire Hao

Yes: All-7
 No: None

MOTION CARRIED

b) City Council Appointments:

Resolution #2019-01-007
Moved by Baker
Seconded by Pennington

RESOLVED, That Troy City Council hereby **CONFIRMS** the appointment of the following person to serve on the Boards and Committees as indicated:

Zoning Board of Appeals
Appointed by Council
7 Regular Members; 2 Alternates
3 Year Term

Term Expires: 12/31/2019	Karen Crusse	PC Rep. on ZBA
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Yes: All-7
No: None

MOTION CARRIED

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

a) Mayoral Nominations: None

b) City Council Nominations:

Resolution #2019-01-008
Moved by Baker
Seconded by Abraham

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

Unexpired Term Expiring: 9/30/2019	Kristin Franklin
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Term currently held by: Jeffrey Stewart (Resigned)

Yes: All-7
No: None

MOTION CARRIED

I-3 No Request for Closed Session

I-4 City Manager Agreement (Presented by: Lori Grigg Bluhm, City Attorney)

Resolution #2019-01-009
Moved by Baker
Seconded by Hamilton

NOW THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the City Manager Employment Agreement, and the Mayor and City Clerk are **AUTHORIZED** to sign the document on behalf of the City; a copy of the Employment Agreement shall be **ATTACHED** to the original Minutes of the meeting and also included in the Human Resource's file.

Yes: All-7
No: None

MOTION CARRIED

I-5 City of Troy 2019-2020 Strategy Development Process (Presented by: Mark F. Miller, City Manager)

Resolution #2019-01-010
Moved by Baker
Seconded by Hamilton

RESOLVED, That Troy City Council hereby **SCHEDULES** a meeting for the Troy City Council and City Staff for the purpose of developing the 2019 City Strategies on February 20, 2019 at 4:30 PM at the Troy Community Center, 3179 Livernois Rd, Troy, MI 48083.

Yes: All-7
No: None

MOTION CARRIED**J. CONSENT AGENDA:**

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

Resolution #2019-01-011-J-1a
Moved by Henderson
Seconded by Baker

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 #2019-01-011-J-2

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

- a) Special City Council Meeting Minutes-Draft – January 7, 2019
- b) City Council Minutes-Draft – January 7, 2019

J-3 Proposed City of Troy Proclamations: None Submitted

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 2: Award to Low Bidders Meeting Specifications – Asphalt Paving Materials - Hot Patch**

Resolution #2019-01-011-J-4a

RESOLVED, That Troy City Council hereby **AWARDS** a one (1) year contract to provide Asphalt Paving Materials – Hot Patch with an option to renew for one (1) additional year to the lowest bidder(s) by line item to *Cadillac Asphalt of Shelby Township, MI*, as the primary supplier for items #1, #2, #3, #4, #5, and #6 and *Surface Coatings/Gem Seal of Auburn Hills, MI*, as the primary supplier for items #7, #8, #9, and #10 at unit prices contained in the bid tabulation opened January 3, 2019, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; to be ordered on an as needed basis and based on proximity; contracts expiring December 31, 2020.

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the City to use secondary suppliers, *Ajax Materials Corporation of Troy, MI*, for items #1, #2, #3, #4, #5, and #6 and *Cadillac Asphalt of Shelby Township, MI*, for items #7 and #8 in the event that the primary supplier is unable to provided materials as specified under the same pricing, terms and conditions as originally bid; to be ordered on an as needed basis and based on proximity.

BE IT FINALLY RESOLVED, That the award is **CONTINGENT** upon contractors’ submission of properly executed bid and contract documents, including insurance certificates and all other specified requirements.

b) Standard Purchasing Resolution 8: Best Value Award – Design Services – Library Youth Area

Resolution #2019-01-011-J-4b

RESOLVED, That Troy City Council hereby **AWARDS** a contract for Design Services for the Library Youth Area at the Troy Public Library to *Integrated Design Services of Troy, MI*, the highest rated proposer as a result of a best value process for a not to exceed amount of \$22,760.00.

BE IT FINALLY RESOLVED, That the award is **CONTINGENT** upon the company's submission of properly executed proposal and contract documents, including agreements, insurance certificates and all other specified requirements.

J-5 Suggested Resolution to Change the Budget Study Session Scheduled on Wednesday, April 17, 2019 to Thursday, April 11, 2019

Resolution #2019-01-011-J-5

RESOLVED, That Troy City Council **SHALL RESCHEDULE** the Budget Discussion Study Session from Wednesday, April 17, 2019 to Thursday, April 11, 2019 at 6:00 PM.

J-6 Request for Acceptance of a Quit Claim Deed From Consumers Energy – Sidwell #88-20-11-101-016

Resolution #2019-01-011-J-6

RESOLVED, That Troy City Council hereby **ACCEPTS** a quit claim deed for right-of-way from Consumers Energy, owner of the property having Sidwell #88-20-11-101-016.

BE IT FURTHER RESOLVED, That a copy of the recorded quit claim deed shall be **ATTACHED** to the original Minutes of this meeting.

J-7 Traffic Committee Recommendations and Minutes – January 16, 2019

Resolution #2019-01-011-J-7

4. Request for Traffic Control – Hampton at Wendover

RESOLVED, That the intersection of Hampton Lane at Wendover Street be **MODIFIED** from no traffic control to ALL-WAY STOP control.

5. Request for Traffic Control – Hartshorn at Cherry

RESOLVED, That the intersection of Hartshorn Avenue at Cherry Avenue be **MODIFIED** from no traffic control to ALL-WAY STOP control.

J-8 2019 Poverty Exemption Guidelines (Changes from Previous Year)

Resolution #2019-01-011-J-8

RESOLVED, That, pursuant to MCL 211.7u, Troy City Council of the City of Troy hereby **APPROVES** the proposed "Poverty Exemption Guidelines" for 2019, as presented by the City Assessor in a memorandum dated January 28, 2019, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-9 Fireworks Permit – Woodside Bible Church "Night to Shine" Celebration

Resolution #2019-01-011-J-9

RESOLVED, That Troy City Council hereby **ISSUES** a fireworks permit to *Wolverine Fireworks Display, Inc. of Kawkawlin, Michigan*, for the public display of fireworks at 6600 Rochester Rd., Troy, Michigan, for a local church celebration sponsored by Woodside Bible Church on Friday February 8, 2019; pending proof of required insurance coverage before the event.

BE IT FURTHER RESOLVED, That the Troy Fire Department **WILL INSPECT** the fireworks to be displayed in advance and **WILL ALSO REVIEW** the proposed discharge location(s) and site, and **MAY TAKE ANY ACTION** to assure safety and compliance with applicable codes and standards for such a fireworks display.

J-10 Bid Waiver – Pressure Reducing Valve and Controls – Water Department

Resolution #2019-01-011-J-10

RESOLVED, That Troy City Council, in the best interest of the City, hereby **WAIVES** formal bidding procedures and **AUTHORIZES** the City of Troy to award a contract to *Jett Pump & Valve, LLC of Waterford, MI*, for the purchase of one (1) Cla-Val 16inch model # 90-01BY Pressure Reducing Valve as per the prices detailed in the quote for an estimated total cost of \$32,608.35; 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, and all other specified requirements.

J-11 City of Troy Investment Policy and Establishment of Investment Accounts

Resolution #2019-01-011-J-11

RESOLVED, That Troy City Council hereby **APPROVES** the *Investment Policy and Establishment of Investment Accounts* as outlined in the memorandum and revised from Director of Financial Services, Thomas Darling dated January 22, 2019; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-12 Open Space Preservation Easement for Whispering Park

Resolution #2019-01-011-J-12

WHEREAS, As part of a City Council approved cluster development, the Troy Zoning Ordinance requires the developer to execute a recordable document permanently preserving the dedicated open space; and,

WHEREAS, The development known as Whispering Park is nearing completion, but prior to the issuance of Certificates of Occupancy for the homes, City Council must approve the document that sets aside the required open space; and,

WHEREAS, The attached Open Space Preservation Easement has been negotiated with the Developer, and if approved by City Council, would be recorded at the Oakland County Register of Deeds to require Developer and/or his successors to permanently maintain the dedicated open space;

NOW THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the Open Space Preservation Easement for the cluster development known as Whispering Park.

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Mayor and City Clerk to sign the Open Space Preservation Easement, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-13 Open Space Preservation Easement for Raintree Village on the Park

Resolution #2019-01-011-J-13

WHEREAS, As part of a City Council approved cluster development, the Troy Zoning Ordinance requires the developer to execute a recordable document permanently preserving the dedicated open space; and,

WHEREAS, The development known as Raintree Village on the Park is nearing completion, but prior to the issuance of Certificates of Occupancy for the homes, City Council must approve the document that sets aside the required open space; and,

WHEREAS, The attached Open Space Preservation Easement has been negotiated with the Developer, and if approved by City Council, would be recorded at the Oakland County Register of Deeds to require Developer and/or his successors to permanently maintain the dedicated open space;

NOW THEREFORE, BE IT RESOLVED, That City Council hereby **APPROVES** the Open Space Preservation Easement for the cluster development known as Raintree Village on the Park;

BE IT FURTHER RESOLVED, That City Council hereby **AUTHORIZES** the Mayor and City Clerk to sign the Open Space Preservation Easement, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-14 Bid Waiver – Golf Carts

Resolution #2019-01-011-J-14

RESOLVED, That Troy City Council hereby **WAIVES** formal bidding procedures and **AUTHORIZES** the City of Troy to award a contract to *E-Z-Go of Augusta, GA*, for the purchase of 150 golf carts utilizing the Billy Casper National Account Pricing for a total of \$603,817.50 including trade-in and delivery.

BE IT FURTHER RESOLVED; That Troy City Council **APPROVES** *Comerica Lease, a division of Comerica Bank*, to finance the purchase/lease of the equipment to the City at an interest rate of 3.336% per annum with total payments over the life of the lease at approximately \$661,588.

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): None Submitted

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

Ann Erickson-Gault	Commented on the 2016 City Manager Report, supports ethics training and the sentencing of the former City Manager
Kim Moon	Commented on the sentencing of the former City Manager, transparency and the 2016 City Manager Report
David Ashland	Commented that Public Comment is for the public; commented on the sentencing of the former City Manager and the behavior of the former City Manager
Aaron Green	Commented that he disagrees with the apology to the students; supports ethics training

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

Council Member Henderson	Thanked the public for their respectful comments; commented that Council believed that Mr. Kischnick was following the Action Plan; commented that all 7 on Council agreed to not fire Mr. Kischnick in 2016
Council Member Abraham	Commented that there is no handbook on how to move on from the situation of the former City Manager, but attending the sentencing was a step; she commented that the forensic audit will tell more about what happens next; she supports ethics training; she said we should not forget what happened so it will not happen again
Council Member Hodorek	Commented that she appreciates that residents are paying attention and asking questions; she supports ethics training; she commented that the forensic audit and the strategies session will be helpful in learning next steps; commented that she commits to continuing with oversight and rebuilding trust; commented on the sentencing of the former City Manager

Mayor Pro Tem Baker	Thanked the residents for their comments this evening; commented that moving on does not mean forgetting what has happened; commented that the City will be dealing with the aftermath of Mr. Kischnick's actions during the 30 months he is in prison; commented that he is confident that Troy will be able to move on and recover from these events
Council Member Henderson	Commented that Mr. Kischnick damaged every Member of City Council; commented on the 2016 City Manager Report; commented that he made his decisions based on the information he had at the time and what he thought was best for the City
Council Member Pennington	Commented that Mr. Kischnick conned the Council Members and the City; commented that he repaired a car but did not have anything to do with how the costs were billed
Mayor Slater	Commented that everyone has the right to speak at Council Meetings; he said he will reserve his comments for a later date; commented that he apologized to the student present because this was an important night for him and he had to witness some unpleasant discussion

N. COUNCIL REFERRALS:

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

N-1 No Council Referrals Submitted

O. COUNCIL COMMENTS:

O-1 Council Comments

Council Member Hodorek asked for consensus from City Council to ask City Manager Miller to pursue looking into a third-party training for City Council on ethics, municipal compliance opportunities and oversight, possibly from the MML. She commented that all City Council Members should be trained to understand how to recognize issues and work together. There was consensus of City Council. City Manager Miller commented that it will be a joint effort with the City Attorney.

Mayor Pro Tem Baker commented that he attended a presentation at Troy High about PTSD presented by students. He reminded everyone that PTSD is a very serious condition affecting veterans, and an average of 22 veterans a day commit suicide. He encouraged everyone to educate themselves and learn how to help those who suffer from PTSD.

Council Member Hodorek commented on the Troy Chamber of Commerce Experience Troy 2019 Membership Guide and Community Profile and is grateful for strong organizations in Troy. She encourages everyone to follow them on Twitter and take a look at presentations available on their website.

Council Member Hamilton reminded everyone that on Monday, February 25th, there will be a 6:00 PM meeting regarding the presentation of the Green Space Committee report.

Council Member Abraham thanked the DPW staff for their hard work clearing snow from the roads and putting down salt. Encouraged drivers to be patient, don't speed and use the lower gears on cars. Reminded residents that there is a link on the City website to the snow plow map.

P. REPORTS:

P-1 Minutes – Boards and Committees:

- a) Downtown Development Authority-Final – October 17, 2018
 - b) Employees' Retirement System Board of Trustees-Final – November 14, 2018
 - c) Employees' Retirement System Board of Trustees-Final (Revised) – November 14, 2018
 - d) Traffic Committee-Final – November 14, 2018
 - e) Employees' Retirement System Board of Trustees-Final – December 12, 2018
- Noted and Filed

P-2 Department Reports:

- a) Building Department Activity Report – December, 2018
 - b) My Civic App and CodeRed
 - c) 2018-2019 City Strategy Update Report
 - d) Big Beaver Shuttle 2018 4th Quarter Update
 - e) Ross School of Business BOND Student Consulting Group and Troy Public Library
 - f) Troy Library Card Makes the List of Coolest Library Cards and New Library Cards
 - g) Library Carpeting Project Update and Letter of Appreciation to City Departments
- Noted and Filed

P-3 Letters of Appreciation:

- a) To Chief Roberts from Beaumont Hospital Regarding Participation in Moonbeams for Sweet Dreams Event
 - b) To Elaine Bo from Sharon King Regarding Computer Lab Volunteers
 - c) To Chief Roberts from Kelley Gorman Regarding Firefighter Presentation for Scout Troop 1010
 - d) To Troy Firefighters from Woody Regarding Support for Fellow Firefighter
- Noted and Filed

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. CITY COUNCIL/CITY ADMINISTRATION RESPONSE/REPLY TO PUBLIC COMMENT – ANY RESPONSES/REPLIES WILL BE PROVIDED AFTER ALL PERSONS HAVE FINISHED ADDRESSING CITY COUNCIL

S. CLOSED SESSION

S-1 No Closed Session

T. ADJOURNMENT:

The Meeting **ADJOURNED** at 8:50 PM.

Mayor Dane Slater

M. Aileen Dickson, MMC
City Clerk