

Pastor TJ Thompson from Life Christian Church 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 22, 2019, at City Hall, 500 W. Big Beaver Rd. Mayor Slater called the meeting to order at 7:33 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:

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- C-1 Proclamation in Recognition of National Work-Zone Awareness Week – April 8-12, 2019 – Presented to Scott Carruthers, Streets and Drains Operations Manager (Presented by: Mayor Dane Slater)**

D. CARRYOVER ITEMS:

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- D-1 No Carryover Items**

E. PUBLIC HEARINGS:

-
- E-1 Conditional Rezoning Application (File Number CR JPLN2018-005) – Proposed Long Lake Square Townhomes, South Side of Long Lake Road, West of Livernois (121 W. Long Lake; Parcels #88-20-16-200-007 and -008), Section 16, From R-1B (One Family Residential) District to NN “M” (Neighborhood Node “M”) District (Introduced by: Brent Savidant, Planning Director)**

The Mayor opened the Public Hearing. The Mayor closed the Public Hearing after receiving Public Comment from Avis Landmesser.

Resolution #2019-04-040
Moved by Pennington
Seconded by Baker

WHEREAS, The City is in receipt of a proposed rezoning request from R-1B (One-Family Residential) District to NN “M” (Neighborhood Node “M”) District.; and,

WHEREAS, The subject property to be rezoned, located on the south side of Long Lake, west of Livernois, parcels 88-20-16-200-007 and 88-20-16-200-008, being approximately 1.88 acres in size; and,

WHEREAS, The applicant has submitted a site plan and related drawings for a 27-unit condominium development; and,

WHEREAS, The applicant voluntarily offered a number of conditions, as described in the Conditional Rezoning Agreement and related attachments, as per Section 16.04 of the City of Troy Zoning Ordinance; and,

WHEREAS, The conditional rezoning was recommended for approval by the Planning Commission by a 6-0 vote; and,

WHEREAS, The proposed rezoning is supported by the Master Plan and advances the general and specific development policies of the Master Plan; and,

WHEREAS, The proposed rezoning meets the Standards for Rezoning Approval listed in Section 16.03.C of the City of Troy Zoning Ordinance; and,

WHEREAS, The proposed site design mitigates potential impacts on adjacent properties;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the R-1B (One-Family Residential) District to NN "M" (Neighborhood Node "M") District Conditional Rezoning Agreement and related attachments.

BE IT FURTHER RESOLVED, That Troy City Council **AUTHORIZES** the Mayor and City Clerk to sign the Conditional Rezoning Agreement on behalf of the City of Troy.

BE IT FINALLY RESOLVED, That the City of Troy Zoning District Map is hereby **AMENDED**.

Yes: All-7
No: None

MOTION CARRIED

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 – Board of Review, Brownfield Redevelopment Authority, Volunteer Firefighter Incentive Plan Board; b) City Council Appointments – None

a) Mayoral Appointments:

Resolution #2019-04-041
Moved by Slater
Seconded by Henderson

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:

Board of Review

Appointed by Mayor
3 Regular Members
3 Year Term

Term Expires: 1/31/2022

James Hatch

Term currently held by: James Hatch

Brownfield Redevelopment Authority

Appointed by Mayor
7 Regular Members
3 Year Term

Term Expires: 4/30/2022

Steven Gottlieb

Term currently held by: Steven Gottlieb

Volunteer Firefighter Incentive Plan Board

Appointed by Mayor
7 Regular Members
3 Year Term

Term Expires: 4/30/2022

Anthony Rosenblum

Citizen (Mayor Appt'd)

Currently held by: Anthony Rosenblum

Yes: All-7
No: None

MOTION CARRIED

b) City Council Appointments: None

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 Request for Closed Session**J. CONSENT AGENDA:**

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

Resolution #2019-04-042-J-1a

Moved by Henderson

Seconded by Baker

RESOLVED, That Troy City Council hereby **APPROVES** all items on the Consent Agenda as presented with the exception of Item(s) J-4g and J-4i, which shall be **CONSIDERED** after Consent Agenda (J) items, as printed.

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 #2019-04-042-J-2

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

- a) City Council Meeting Minutes-Draft – April 8, 2019
 - b) City Council Special Budget Study Session Minutes-Draft – April 11, 2019
 - c) City Council Special Budget Study Session Minutes-Draft – April 15, 2019
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J-3 Proposed City of Troy Proclamations:

Resolution #2019-04-042-J-3

- a) National Association of Letter Carriers 27th Annual Food Drive Day – May 11, 2019
- b) Motorcycle Awareness Month – May, 2019
- c) Mental Health Awareness Month – May, 2019

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 1: Award to Low Bidder – Contract 19-02 – Sections 2 and 21 Pavement Rehabilitation**

Resolution #2019-04-042-J-4a

RESOLVED, That Troy City Council hereby **AWARDS** Contract No. 19-02, Sections 2 & 21 Pavement Rehabilitation, to *Pro-Line Asphalt Paving Corp., 11797 29 Mile Road, Washington, MI 48095*, for their low total bid amount of \$ 686,330.00.

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.

- b) **Standard Purchasing Resolution 2: Award to Low Bidder Meeting Specifications – Asphalt Patching Material - COLD**

Resolution #2019-04-042-J-4b

RESOLVED, That Troy City Council hereby **AWARDS** a for seasonal requirements of Asphalt Patching Material – Cold Patch to the local low bidder meeting specifications, *Ace-Saginaw Paving Co. of Saginaw, MI*, for an estimated total cost of \$40,400, at the unit price per ton contained in the bid tabulation opened March 28, 2019, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, the cost of which shall not exceed annual budgetary limitations; with the contract expiring April 30, 2020.

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

- c) **Standard Purchasing Resolution 2: Award to Low Bidder Meeting Specifications – Aggregates**

Resolution #2019-04-042-J-4c

RESOLVED, That Troy City Council hereby **AWARDS** a one (1) year contract to provide Aggregates with an option to renew for one (1) additional year to the low bidder meeting specifications and local preference requirements, *Maloney Trucking, LLC of Troy, MI*, for line items 1-9 to be purchased as specified on as needed basis not to exceed budgetary limitations and as per unit bid prices listed in the attached bid tabulation opened April 4, 2019, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with the contract expiring April 30, 2021.

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon the contractor's submission of properly executed bid documents, including insurance certificate and all other specified requirements.

d) Standard Purchasing Resolution 2: Award to Sole Bidder Meeting Specifications – Transit Mixed Concrete

Resolution #2019-04-042-J-4d

RESOLVED, That Troy City Council hereby **AWARDS** a one (1) year contract to provide Transit Mixed Concrete with an option to renew for one (1) additional year to the sole bidder meeting specifications, *Superior Materials, LLC of Farmington Hills, MI*, to be ordered on as needed basis and not to exceed budgetary limitations as per the unit prices contained in the bid tabulation opened April 4, 2019, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, contract to expire April 30, 2021.

BE IT FINALLY RESOLVED, That the award is **CONTINGENT** upon the contractor's submission of properly executed bid documents, insurance certificates and all other specified requirements.

e) Standard Purchasing Resolution 2: Award to Low Bidder Meeting Specifications – Hauling and Disposal of Dirt and Debris

Resolution #2019-04-042-J-4e

RESOLVED, That Troy City Council hereby **AWARDS** a contract for one-year requirements for the Hauling and Disposal of Dirt and Debris with an option to renew for one (1) additional year to the low bidder meeting specifications, *Maloney Trucking of Troy, MI*, for items #1, #2, #3, and #4 for an estimated total cost of \$119,625.00 at the unit prices contained in the bid tabulation opened April 4, 2019, a copy of which shall be **ATTACHED** to the original minutes of this meeting, with the contract expiring April 30, 2021.

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

f) Standard Purchasing Resolution 4: Cooperative Contract Award – US Communities Purchasing Cooperative – Troy Community Center Roof Repairs

Resolution #2019-04-042-J-4f

RESOLVED, That Troy City Council hereby **AWARDS** a contract for the roof repair for the City of Troy Community Center to *Garland Company/Design Build Solutions, Inc. of Cleveland, OH*, based on the U.S. Communities Cooperative Purchasing Contract #14-5903 in the not to exceed amount of \$100,000.

h) Standard Purchasing Resolution 2: Award to Low Bidder Meeting Specifications – Sidewalk Replacement and Installation Program, and Manhole Rehabilitation

Resolution #2019-04-042-J-4h

RESOLVED, That Troy City Council hereby **AWARDS** a one (1) year contract with the option to renew for two (2) additional years for sidewalk replacement and installation, and manhole rehabilitation to the low bidder meeting specifications, *Italia Construction of Washington, MI*, for an estimated total amount of \$500,000.00 at unit prices contained in the bid tabulation opened March 21, 2019, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, contract to expire June 30, 2022.

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.

J-5 Private Agreement – Contract for Installation of Municipal Improvements – Troy Crossing – Project No. 18.913.3

Resolution #2019-04-042-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 *Troy Crossing, LLC*, for the installation of Water Main, Sanitary Sewer, Storm Sewer, Underground Storm water Detention, Concrete Sidewalk and Approach; 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 Acceptance of Six Permanent Easements from Walnut Grove Homes, LLC – Sidwell #88-20-10-378-005

Resolution #2019-04-042-J-6

RESOLVED, That Troy City Council hereby **ACCEPTS** six permanent easements for sanitary sewers, water mains, storm sewers, public utilities, sidewalks, and emergency ingress/egress for police/fire protection from Walnut Grove Homes, LLC, owner of the property having Sidwell #88-20-10-378-005.

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-7 2019 Tri-Party Program – Cost Participation Agreement – Adams Road, Wattles Road to Long Lake Road – Project No. 15.105.6

Resolution #2019-04-042-J-7

RESOLVED, That Troy City Council hereby **APPROVES** the Cost Participation Agreement between the City of Troy and the Board of County Road Commissioners for Oakland County (Board) for the 2019 Tri-Party Program in the amount of \$246,000 at an estimated cost to the City of Troy of \$82,000 for the preservation overlay on Adams Road, from Wattles Road to

Long Lake Road; 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.

J-8 2019 Tri-Party Program – Cost Participation Agreement – Dequindre Road, 14 Mile Road to Long Lake Road – Project No. 15.105.6

Resolution #2019-04-042-J-8

RESOLVED, That Troy City Council hereby **APPROVES** the Cost Participation Agreement between the City of Troy and the Board of County Road Commissioners for Oakland County (Board) for the 2019 Tri-Party Program in the amount of \$332,677 at an estimated cost to the City of Troy of \$110,892 for concrete slab replacement on Dequindre Road, from 14 Mile Road to Long Lake Road; 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.

J-9 Agreement for Traffic Control Device – Maple Road at Rochester Road (Signal No. 53) – Project No. 20.103.5

Resolution #2019-04-042-J-9

RESOLVED, That Troy City Council hereby **APPROVES** the Agreement for Traffic Control Device (Signal No. 53) between the City of Troy and the Board of County Road Commissioners of Oakland County in the amount of \$250,000 at an estimated cost to the City of Troy of \$125,000 for the traffic signal modernization at the intersection of Maple Road and Rochester Road; 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.

J-10 Elliot Parnes v City of Troy/Troy Police Department

Resolution #2019-04-042-J-10

RESOLVED, That Troy City Council hereby **AUTHORIZES** and **DIRECTS** the City Attorney's Office to defend the City of Troy in the matter of *Parnes v. City of Troy/Troy Police Department* (Oakland County Circuit Court, Case No. 19-173245-CZ), to pay necessary costs and expenses, and to retain any necessary expert witnesses required to adequately represent the City.

J-4g Resolution to Postpone Standard Purchasing Resolution 2: Award to Low Bidder Meeting Specifications – Gateway Signage

Moved by Baker
Seconded by Abraham

BE IT RESOLVED, That Troy City Council hereby **POSTPONES** Item *J-4g Standard Purchasing Resolution 2: Award to Low Bidder Meeting Specifications – Gateway Signage* to allow City Management to bring another presentation to City Council regarding Gateway Signage.

Resolution to Amend the Resolution to Postpone Standard Purchasing Resolution 2: Award to Low Bidder Meeting Specifications – Gateway Signage to the June 3, 2019 Regular City Council Meeting

Resolution #2019-04-043

Moved by Baker

Seconded by Hamilton

BE IT RESOLVED, That Troy City Council hereby **AMENDS BY SUBSTITUTION** *Resolution to Postpone Item J-4g Standard Purchasing Resolution 2: Award to Low Bidder Meeting Specifications – Gateway Signage* by substituting “to the June 3, 2019 Regular City Council Meeting”.

Yes: All-7

No: None

MOTION CARRIED

J-4i Resolution to Postpone Standard Purchasing Resolution 2: Award to Low Bidder Meeting Specifications – Concrete Slab Replacement Program for Local and Major Roads

Resolution #2019-04-044

Moved by Slater

Seconded by Pennington

RESOLVED, That the Troy City Council hereby **POSTPONES** *Item J-4i Standard Purchasing Resolution 2: Award to Low Bidder Meeting Specifications – Concrete Slab Replacement Program for Local and Major Roads* until after the Forensic Audit is completed and presented to City Council and the Public.

Yes: All-7

No: None

MOTION CARRIED

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings:

- a) May 6, 2019 – Adoption of the 2019/20 Annual City Budget and Three-Year Budget
- b) May 20, 2019 – Reprogram Community Development Block Grant (CDBG) Program Year 2018 Funds

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:

Jessica Savaya	Asked City Council to consider expanding hours allowed for Smoking Lounges in Troy
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M. CITY COUNCIL/CITY ADMINISTRATION RESPONSE/REPLY TO PUBLIC COMMENT:

Mayor Slater	Commented that Ms. Savaya should meet with the Police Department or the City Attorney to discuss the hours and see what they recommend
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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

Mayor Pro Tem Baker	Commented in response to Council Member Hamilton that he does not know the DiLisio family and has not been at events with them.
Council Member Henderson	Commented that he has not attended parties with DiLisio and has only spoken to Mr. DiLisio on a chance meeting in public.
Council Member Pennington	Commented that he does not know the DiLisio family and has not attended parties with them.
Council Member Hodorek	Commented that Troy Youth Assistance needs mentors in the community. Information is on troyyouthassistance.org or contact Karl Schmidt, Troy School Board Member.
Council Member Hamilton	Thanked the Council Members who commented regarding DiLisio. He asked Council Members to comment on other statements regarding Council Members in the legal document regarding Mr. Kischrick.

P. REPORTS:

P-1 Minutes – Boards and Committees:

- a) Troy Brownfield Redevelopment Authority-Final – October 16, 2018
- b) Planning Commission-Final – March 12, 2019
- c) Employees' Retirement System Board of Trustees-Final – March 13, 2019
- d) Planning Commission-Draft – April 9, 2019

Noted and Filed

P-2 Department Reports:

- a) Building Department Activity Report – March, 2019
- b) Report on Impact of the Paid Medical Leave Act of 2018
Noted and Filed

P-3 Letters of Appreciation: None Submitted

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-20471

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):

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 8:52 PM.



Mayor Dane Slater



M. Aileen Dickson, MMC
City Clerk