

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, August 5, 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 On Behalf of the City of Troy Employees' Casual for a Cause Program, Community Affairs Director Cindy Stewart Will Present a Check to the Troy People Concerned Board President Richard Snyder

C-2 Economic Development Update *(Presented by: Glenn Lapin, Economic Development Specialist)*

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:

David Ashland	Commented on Item I-8
Aaron Green	Commented on Item I-8

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 – Charter Revision Committee

a) Mayoral Appointments: None

b) City Council Appointments:

Resolution #2019-08-084
Moved by Baker
Seconded by Hodorek

Charter Revision Committee

Appointed by Council
7 Regular Members
3 Year Term

Term Expires: 4/30/2022

Robin Beltramini

Term currently held by: Robert Berk (No Reappointment)

Term Expires: 4/30/2022

Shirley Kanoza

Term currently held by: Shirley Kanoza

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 Request for Closed Session

I-4 ProTec Membership (*Introduced by: Lori Grigg Bluhm, City Attorney*)

Resolution #2019-08-085

Moved by Henderson
Seconded by Abraham

RESOLVED, That Troy City Council hereby **APPROVES** the City's annual membership for PROTEC (the Michigan Coalition to Protect Public Rights of Way), as recommended by City Administration, and **AUTHORIZES** payment of membership dues in the amount of \$10,122.50.

Yes: All-7
No: None

MOTION CARRIED

I-5 Ryan Wolf v City of Troy (Introduced by: Lori Grigg Bluhm, City Attorney)

Resolution #2019-08-086
Moved by Pennington
Seconded by Hodorek

BE IT RESOLVED, That Troy City Council hereby **APPROVES** the attached Release and Settlement Agreement and **AUTHORIZES** City Administration to complete all steps necessary to fulfill the City's obligations under the agreement should it be properly executed by all parties.

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

MOTION CARRIED

I-6 Standard Purchasing Resolution #10: Travel Authorization and Approval to Expend Funds for Council Members' Travel Expenses – Michigan Municipal League 2019 Convention (Introduced by: Mark F. Miller, City Manager)

Resolution #2019-08-087
Moved by Hamilton
Seconded by Hodorek

RESOLVED, That Troy City Council hereby **AUTHORIZES** City Council member travel expenses for the Michigan Municipal League 2019 Convention, September 25-27, 2019 in Detroit, Michigan, in accordance with accounting procedures of the City of Troy.

Yes: All-7
No: None

MOTION CARRIED

I-7 Appointment of a Voting Delegate and Alternate to the Michigan Municipal League (MML) (Introduced by: Mark F. Miller, City Manager)

Resolution #2019-08-088
Moved by Hamilton

Seconded by Abraham

BE IT RESOLVED, That Troy City Council **APPOINTS** Council Member Hamilton to be the voting delegate and Council Member Hodorek to be the alternate for the Michigan Municipal League 2019 Annual Meeting being held at 4:15pm on Wednesday, September 25, 2019 in Room 320 at the Cobo Center.

Yes: All-7
No: None

MOTION CARRIED

I-8 City Council Investigations (*Introduced by: Mark F. Miller, City Manager, and Lori Grigg Bluhm, City Attorney*)

J. CONSENT AGENDA:

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

Resolution #2019-08-089-J-1a
Moved by Henderson
Seconded by Pennington

RESOLVED, That Troy City Council hereby **APPROVES** all items on the Consent Agenda 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 #2019-08-089-J-2

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

- a) Special City Council Minutes-Draft – July 17, 2019
- b) City Council Minutes-Draft – July 22, 2019

J-3 Proposed City of Troy Proclamations:

Resolution #2019-08-089-J-3

- a) Proclamation to Honor Athens High School Grad Cami Wade Recipient of C-SPAN StudentCam Documentary Competition 2019

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 1: Award to Low Bidder and Budget Amendment – Contract 19-04 – Square Lake Place Subdivision Water Main Rehabilitation**

Resolution #2019-08-089-J-4a

RESOLVED, That Troy City Council hereby **AWARDS** Contract No. 19-04, Square Lake Place Subdivision Water Main Rehabilitation, to *FER-PAL Construction USA LLC, 26187 Northline Road, Taylor, MI 48180* for their low total bid amount of \$1,343,550.

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 15% of the total project cost.

BE IT FINALLY RESOLVED, That Troy City Council **APPROVES** a budget amendment to the 2020 Water Fund in the amount of \$300,000 for the Square Lake Place Subdivision Water Main Rehabilitation, Project No. 2020C0070 (Account No. 591.537.555.7972.175015).

- b) **Standard Purchasing Resolution 7: Proprietary Maintenance Service Contract – Engineering Software Maintenance**

Resolution #2019-08-089-J-4b

RESOLVED, That Troy City Council hereby **DEEMS** it is in the best interest of the City to **WAIVE** the competitive bid process and **AUTHORIZE** the City of Troy to **AWARD** the proprietary maintenance service contract to *Bentley Systems, Inc., Exton, PA* in the amount of \$11,357.00 to provide software maintenance for OpenRoads Designer, MicroStation Select and OpenSite Designer SELECT subscription packages.

BE IT FURTHER RESOLVED, That Troy City Council **AUTHORIZES** the *ongoing* usage of the Bentley proprietary software as needed by the Engineering Department.

- c) **Standard Purchasing Resolution 9: Approval to Expend Funds for Membership Dues and Renewals Over \$10,000 – Southeast Michigan Council of Governments (SEMCOG)**

Resolution #2019-08-089-J-4c

RESOLVED, That Troy City Council hereby **AUTHORIZES** payment of membership dues to the Southeast Michigan Council of Governments (SEMCOG) in the amount of \$10,328.00, which covers the time period of July 15, 2019 to July 15, 2020.

- d) **Standard Purchasing Resolution 2: Low Bidder Meeting Specifications – Street Tree Planting**

Resolution #2019-08-089-J-4d

RESOLVED, That Troy City Council hereby **AWARDS** a contract to provide and install ball and burlap or container grown trees to the low bidder meeting all specifications, *Marine City Nursery Company of Marine City, MI*, at unit prices contained in the bid tabulation opened July 11, 2019 not to exceed the budgetary limitation of \$150,000; a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with the contract expiring June 30, 2020.

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

e) Standard Purchasing Resolution 2: Award to Low Bidder Meeting Specifications – Holiday Lights

Resolution #2019-08-089-J-4e

RESOLVED, That Troy City Council hereby **AWARDS** a contract for Proposal A and B to install and remove holiday lights on Spruce trees in the Big Beaver median from Coolidge Highway to Rochester Road as specified to *Landscape Services Inc., of Clinton Twp., MI*, for an estimated total of \$31,495.00; at unit prices contained in the bid tabulation opened July 11, 2019; 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.

f) Standard Purchasing Resolution 5: Approval to Expend Budgeted Funds – Traffic Signal GPS Opticom Installation and Maintenance

Resolution #2019-08-089-J-4f

RESOLVED, That Troy City Council hereby **APPROVES** the Agreement for Traffic Control Device GPS Opticom Installation and Maintenance between the City of Troy and the Board of County Road Commissioners of Oakland County in the amount of \$167,400 for the traffic signal GPS Opticom Emergency Vehicle Preemption equipment installation at designated intersections throughout the City of Troy,

BE IT FURTHER RESOLVED, That Troy City Council **AUTHORIZES** the Mayor and the City Clerk to execute the agreement, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

g) Standard Purchasing Resolution 4: State of Michigan MiDeal Cooperative Purchasing Agreement – Generator and Automatic Transfer Switch Replacement – Fire Stations 2, 5 and 6, and Budget Amendment

Resolution #2019-08-089-J-4g

RESOLVED, That Troy City Council hereby **DEEMS** it is in the best interest of the City to **WAIVE** the competitive bid process and **AWARD** a contract to *Allied Building Service Company*

of Detroit, MI to purchase and install new emergency backup generators and transfer switches at Fire Stations 2, 5 and 6 for a total estimated cost of \$117,600 as per the State of Michigan MiDEAL Contract #00641.

BE IT FURTHER RESOLVED, That Troy City Council **APPROVES** a budget amendment to the capital account in the amount of \$82,600 to complete the generator replacement(s).

BE IT FINALLY 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.

J-5 Bid Waiver – Fire Inspection and Preplan Software

Resolution #2019-08-089-J-5

RESOLVED, That Troy City Council hereby **DEEMS** it is in the best interest of the City to **WAIVE** the competitive bid process and **AWARD** a contract to the sole source provider, *MobileEyes, by Tyler Technologies of Plano, TX*, to purchase fire inspection and preplan software for the Fire Department for an estimated total cost of \$17,349.00.

J-6 Bid Waiver – Fire Service Online Training Management Software – Fire Department

Resolution #2019-08-089-J-6

RESOLVED, That Troy City Council hereby **DEEMS** it is in the best interest of the City to **WAIVE** the competitive bid process and **AWARD** a contract to the sole source provider, *Vector Solutions of San Diego, CA*, to purchase *Target Solutions* online training management software for the Fire Department for a recurring annual estimated total cost of \$17,000.00.

J-7 Bid Waiver – Additional Election Equipment

Resolution #2019-08-089-J-7

RESOLVED, That Troy City Council **DEEMS** it is in the best interest of the City to **WAIVE** the competitive bid process.

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the City of Troy to **AWARD** a contract to *Hart Intercivic, Inc. of Austin TX* for the purchase of three (3) additional Verity Central workstations for an estimated total cost of \$265,305 which includes a 5-year warranty.

BE IT FINALLY RESOLVED, That Troy City Council hereby **APPROVES** the purchase of annual service and maintenance for years six through ten for the Verity Central workstations in the estimated total amount of \$232,350 as detailed in Quote #5722 which is attached.

J-8 Traffic Committee Recommendations and Minutes – July 17, 2019

Resolution #2019-08-089-J-8

4. Request for Traffic Control – Alfred Drive at Edith Street

RESOLVED, That the intersection of Alfred Drive at Edith Street be **MODIFIED** from no traffic control to ALL-WAY STOP control at the intersection of Alfred Drive at Edith Street.

5. Request for No Parking Zone – Country Ridge Drive

RESOLVED, That **NO CHANGE** be made along the inside of the curve on Country Ridge Drive.

J-9 Private Agreement – Contract for Installation of Municipal Improvements – West Troy Meadows – Project No. 19.913.3

Resolution #2019-08-089-J-9

RESOLVED, That Troy City Council hereby **APPROVES** the Contract for Installation of Municipal Improvements (Private Agreement) between the City of Troy and Mondrian Properties, for the installation of Water Main, Sanitary Sewer, Storm Sewer, Detention Pond, Concrete Sidewalk and Approaches 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-10 Request for Acceptance of Four Permanent Easements and Two Warranty Deeds – Meadowlark Site Condominium – Sidwell #88-20-01-451-037

Resolution #2019-08-089-J-10

RESOLVED, That Troy City Council hereby **ACCEPTS** four permanent easements for sanitary sewers, storm sewers, private utilities, and emergency ingress & egress for police and fire protection, and two warranty deeds for right of way and detention purposes from, *Bismack Design, Inc.*, owner of the property having Sidwell #88-20-01-451-037.

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.

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:

Don Dougherty	Commented on issues with residential new construction on Leetonia and elevations
Jeff Tenniswood	Requested City Council consider an ordinance amendment to allow transfers of Medical Marijuana Caregiver Operation licenses

Aaron Green	Commented on the Forensic Audit
John Mayernik	Commented on the Forensic Audit and the former City Manager

There was a consensus of City Council to allow David Ashland to speak during Public Comment without having signed up in the time allowed.

David Ashland	Commented on why he speaks during Public Comment and on investigations of City Council
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M. CITY COUNCIL/CITY ADMINISTRATION RESPONSE/REPLY TO PUBLIC COMMENT:

City Manager Miller	Commented that City Engineer Huotari will address Mr. Dougherty’s concerns
City Engineer Huotari	Commented that the Engineering Department has been in contact with Mr. Dougherty and provided information regarding the new home elevations on Leetonia. He said that the Engineering Inspector did inspect the properties in question and determined that the grade elevations are in compliance with standards.
Mayor Slater	Commented that he thinks allowing license transfers for Medical Marijuana Caregivers would be reasonable.
City Attorney Bluhm	Commented that the original intent of the ordinance was to limit the number of caregiver operations. She said that with recreational marijuana coming soon, there may be a shift in caregiver operations since caregivers cannot also participate in recreational marijuana. She said that drafting the recreational marijuana ordinance will be forthcoming to City Council as soon as she has it completed.
Council Member Henderson	Commented that he can understand the frustration with being a building owner that is not allowed to replace a caregiver with a license transfer, and therefore loses money
City Attorney Bluhm	Cautioned City Council regarding caps on numbers of licenses, such as Massage Facility licenses.
Mayor Slater	Requested more information from City Attorney Bluhm regarding the issue of license transfers. There was not a clear consensus of City Council to direct the City Attorney to work on Mayor Slater’s request.

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 Henderson thanked City Administration for the information and work on the Volunteer Firefighter Incentive Plan (VFIP).

Council Member Hamilton agreed with Council Member Henderson and thanked City Administration for the VFIP progress.

Mayor Pro Tem Baker announced the start of registration for the 4th Annual Frightful 5k run on Sunday, October 27, 2019. Visit www.troy.mi.gov/frightful5k for more information.

Council Member Pennington remembered L. Brooks Patterson, who passed away this past weekend. He shared some memories and expressed condolences.

Mayor Slater remembered Mr. Patterson, and expressed gratitude for the contributions to Oakland County and Troy.

Council Member Abraham remembered Mr. Patterson, commented on his contributions to Oakland County and Troy, and expressed condolences to his loved ones.

Council Member Hodorek remembered Mr. Patterson, and his contributions to Oakland County and Troy. She commented that Mr. Miller lives the ethical ideals, and has a staff of integrity who are still cleaning up from the former City Manager. She thanked the City staff for their dedication.

P. REPORTS:**P-1 Minutes – Boards and Committees:**

- a) Traffic Committee-Final – February 20, 2019
- b) Civil Service Commission (Act 78)-Final – June 12, 2019
- c) Zoning Board of Appeals-Draft – July 16, 2019
- d) Planning Commission-Final – July 23, 2019
- e) Civil Service Commission (Act 78)-Draft – July 25, 2019
Noted and Filed

P-2 Department Reports:

- a) Forensic Accounting Investigation Corrective Action Plan
- b) Volunteer Firefighter Incentive Plan (VFIP) Update
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 Gas Customers of Consumers Energy Company – Case No. U-20209

Noted and Filed

P-6 Notice of Hearing for the Gas Customers of DTE Gas Company – Case No. U-20210

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 9:37 PM.

Mayor Dane Slater

M. Aileen Dickson, MMC
City Clerk