

Council Member Pennington 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, September 9, 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 Proclamation to Proclaim September 11-17, 2019 as Michigan Patriot Week in the City of Troy, Presented to John Wilson, Director *(Presented by: Mayor Dane Slater)*

C-2 Proclamation for Special Recognition to the Troy Somerset Gazette on Its 40th Anniversary Year, Presented to Publisher/Owner Mark Nicholson and Staff *(Presented by: Mayor Dane Slater)*

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:

| | |
|-----------------|------------------------|
| Avis Landmesser | Commented on Item P-2b |
| Doug Dombrowski | Commented on Item P-2a |
| John Kulesz | Commented on Item I-4 |
| Steve Tegge | Commented on Item I-4 |

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

| | |
|---------------------|---|
| City Attorney Bluhm | Commented that the City has cyber insurance through MMRMA |
|---------------------|---|

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 – Parks and Recreation Board

a) Mayoral Appointments:

Resolution #2019-09-095
Moved by Slater
Seconded by Pennington

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
12 Regular Members
3 Year Term

Term Expires: 7/31/2020

Arjun Tholakapalli

Student

Yes: All-7
No: None

MOTION CARRIED

b) City Council Appointments:

Resolution #2019-09-096
Moved by Baker
Seconded by Abraham

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

Parks and Recreation Board

Appointed by Council
7 Regular Members and 1 Troy School Board of Education Representative
Regular Member: 3 Year Term / Troy School Bd. of Education Representative: 1 Year Term

Term Expires: 7/31/2020

Timothy Fulcher

**Troy School Board
of Education Rep.**

Term currently held by: Timothy Fulcher

Term Expires: 9/30/2022 Julia Baker
 Term currently held by: Julia Baker

Term Expires: 9/30/2022 Pam Brady
 Term currently held by: Steve Toth – No reappointment

Yes: All-7
 No: None

MOTION CARRIED

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

a) **Mayoral Nominations: None**

b) **City Council Nominations:**

Resolution #2019-09-097
 Moved by Baker
 Seconded by Pennington

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 Board of Education Representative

Regular Member: 3 Year Term / Troy School Bd. of Education Representative: 1 Year Term

Nominations to the Parks and Recreation Board:

Term Expires: 7/31/2020 Divya Aggarwal **Student**

Traffic Committee

Appointed by Council

7 Regular Members

3 Year Term

Nominations to the Traffic Committee:

Term Expires: 7/31/2020 Alankar Shende **Student**

Yes: All-7
 No: None

MOTION CARRIED

Vote on Resolution to Suspend Rules of Procedure for the City Council, Rule #7 – Order of Business

Resolution #2019-09-098
 Moved by Slater
 Seconded by Baker

RESOLVED, That Troy City Council hereby **SUSPENDS** Rules of Procedure for the City Council, Rule #7 Order of Business, to address Agenda Items *I-5 Beaumont Healthy Communities Initiative* and *I-6 Standard Resolution 1, 2 and 3 – Special Assessment for Bituminous Paving of a Portion of Troywood – Section 22* before Agenda Item *I-3 Request for Closed Session*.

Yes: All-7
 No: None

MOTION CARRIED

I-5 Beaumont Healthy Communities Initiative (Introduced by: Cindy Stewart, Community Affairs Director)

Resolution #2019-09-099
 Moved by Slater
 Seconded by Hodorek

RESOLVED, That Troy City Council hereby **APPROVES** the partnership and ongoing working relationship between Beaumont Health and the City of Troy for the Beaumont Healthy Communities program.

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Mayor to sign the Memorandum of Understanding between Beaumont Health and the City of Troy to establish the Healthy Community partnership.

Yes: All-7
 No: None

MOTION CARRIED

I-6 Standard Resolution 1, 2 and 3 – Special Assessment for Bituminous Paving of a Portion of Troywood – Section 22 (Introduced by: Nino Licari, City Assessor)

Resolution #2019-09-100
 Moved by Baker
 Seconded by Hamilton

a) Standard Resolution #1

RESOLVED, That Troy City Council hereby **ADOPTS** Standard Resolution #1 to direct the preparation of plans and cost estimates for the Special Assessment to pay all or part of the cost of Asphalt Paving on Troywood in Northgate Subdivision, in Section 22 Project No.19.201.1, all pursuant to Sections 1.1 and 1.2 of Chapter 5 of the Code of the City of Troy.

b) Standard Resolution #2

RESOLVED, That Troy City Council hereby **ADOPTS** Standard Resolution #2 to approve plans and cost estimates for a Special Assessment to pay all or part of the cost of Asphalt Paving on Troywood in Northgate Subdivision, in Section 22, Project No. 19.201.1, all pursuant to Sections 1.1 and 1.2 of Chapter 5 of the Code of the City of Troy

| | |
|----------------------|--------------|
| Total Estimated Cost | \$373,900.00 |
| Assessment | \$174,700.00 |
| City's Share | \$199,200.00 |

BE IT FURTHER RESOLVED, That the City Assessor is hereby **ORDERED** and **DIRECTED** to prepare a Special Assessment Roll in accordance with Chapter 5 of the Code of the City of Troy.

c) Standard Resolution #3

RESOLVED, That Troy City Council hereby **ADOPTS** Standard Resolution #3 to set a Public Hearing date on the Special Assessment roll for Asphalt Paving on Troywood in Northgate Subdivision, in Section 22, Project No. 19.201.1, all pursuant to Chapter 5 of the Code of the City of Troy, with said Public Hearing to be established for September 23, 2019.

Yes: All-7

No: None

MOTION CARRIED**I-3 Request for Closed Session****Vote on Resolution to Separate the Resolution for Request for Closed Session to Address Each Item Separately**

Resolution #2019-09-101

Moved by Slater

Seconded by Henderson

RESOLVED, That Troy City Council hereby **SEPARATES** the Resolution for Closed Session to address each item separately.

Yes: Pennington, Slater, Henderson

No: Abraham, Baker, Hamilton, Hodorek

MOTION FAILED

Resolution #2019-09-102
Moved by Baker
Seconded by Abraham

BE IT RESOLVED, That Troy City Council **SHALL MEET** in Closed Session, as permitted by MCL 15.268 (c) (TFSOA), (e) (William Miller v. City of Troy), and (h) (MCL 15.243 (g)).

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

MOTION FAILED

Resolution #2019-09-103
Moved by Slater
Seconded by Henderson

BE IT RESOLVED, That Troy City Council **SHALL MEET** in Closed Session, as permitted by MCL 15.268 (c) (TFSOA).

Yes: All-7
No: None

MOTION CARRIED

I-4 City Council Investigation (Introduced by: Lori Grigg Bluhm, City Attorney)

City Council took NO ACTION on this item.

J. CONSENT AGENDA:

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

Resolution #2019-09-104-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 #2019-09-104-J-2

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

- a) City Council Minutes-Draft – August 19, 2019

J-3 Proposed City of Troy Proclamations:

Resolution #2019-09-104-J-3

- a) International Day of Peace – September 19, 2019
- b) National Recovery Month – September, 2019

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 4: Award – Oakland County Cooperative Purchasing Agreement – Fleet Vehicles**

Resolution #2019-09-104-J-4a

RESOLVED, That Troy City Council hereby **APPROVES** contracts to purchase two (2) 2020 Chevrolet Impalas, one (1) 2020 Chevrolet Silverado from *Berger Chevrolet of Grand Rapids, Michigan*, and one (1) 2019 GMC Acadia from *Todd Wenzel Buick GMC of Westland, Michigan*, as per the Oakland County Cooperative Contract Bid(s) for the Police Department for an estimated total cost of \$ 107,717.00.

- b) **Standard Purchasing Resolution 2: Award to Low Bidder Meeting Specifications – DPW Sectional Garage Door and Opener Replacement**

Resolution #2019-09-104-J-4b

RESOLVED, That Troy City Council hereby **AWARDS** a contract for the overhead door replacement at the Department of Public Works, Fleet Operations Garage and the Streets and Drains Equipment Garage to the lowest bidder meeting specifications, *KVM Door Systems of Clinton Township, MI* at prices contained in the bid tabulation opened August 15, 2019 for a total cost of \$40,239.00; 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 proposal documents, including insurance certificates and all other specified requirements.

J-5 Bid Waiver – Sanctuary Lake Overflow – Beaumont Hospital

Resolution #2019-09-104-J-5

RESOLVED, That, in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **AWARDS** a contract to *Angelo lafrate Construction, of Warren MI*, to remove and replace the storm drain pipe located within an easement on Beaumont Hospital property for an estimated total cost of \$43,554.00; not to exceed budgetary limitations.

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

J-6 Winter Maintenance Agreement – Road Commission for Oakland County

Resolution #2019-09-104-J-6

RESOLVED, That Troy City Council hereby **APPROVES** the 2019-2020 Winter Maintenance Agreement between the Road Commission for Oakland County and the City of Troy for Snow and Ice Control of county roads, which are described and outlined in Exhibit A, and **AUTHORIZES** the Mayor and City Clerk to execute the necessary documents; a copy of this agreement, which is authorized by the provisions of 1951 PA 51 (MCL 247.651 et seq), shall be **ATTACHED** to the original Minutes of this meeting.

J-7 Clinton River Watershed Council Membership Dues 2019-2024

Resolution #2019-09-104-J-7

RESOLVED, That Troy City Council hereby **APPROVES** the Agreement for Services between the City of Troy and the Clinton River Watershed Council for stormwater education for MS4 stormwater permit, and **AUTHORIZES** the Mayor and City Clerk to execute the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-8 Request for Approval of Additional Location for Issuing Absent Voter Ballots

Resolution #2019-09-104-J-8

RESOLVED, That Troy City Council hereby **APPROVES** City Management's request to authorize an additional location for the City Clerk to issue and receive absent voter ballots on Saturday, October 26, 2019, from 12:00 PM until 2:00 PM, at the Troy Public Library, pursuant to requirements of Michigan Election Law.

J-9 Request for Acceptance of a Permanent Easement From Stellar Hospitality Troy, LLC – Sidwell #88-20-27-228-009, -018 and -017, Springhill Suites Project #19.914.3

Resolution #2019-09-104-J-9

RESOLVED, That Troy City Council hereby **ACCEPTS** a permanent easement for water mains from Stellar Hospitality Troy, LLC, owner of the properties having Sidwell #88-20-27-228-009, -018 & -017.

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

J-10 Request to Temporarily Waive Parking Restrictions

Resolution #2019-09-104-J-10

RESOLVED, That Troy City Council hereby **WAIVES** the no parking restrictions on the east side of Northfield Parkway from the parking lot entrance to Congregation Shir Tikvah to the entrance to Boulan Park, as follows:

| | | |
|-----------|--------------------|---------------------|
| Friday | September 13, 2019 | 6:30 pm to 11:00 pm |
| Sunday | September 29, 2019 | 7:00 pm to 11:00 pm |
| Monday | September 30, 2019 | 9:00 am to 5:00 pm |
| Tuesday | October 8, 2019 | 7:00 pm to 11:00 pm |
| Wednesday | October 9, 2019 | 9:00 am to 9:00 pm |
| Friday | October 18, 2019 | 6:30 pm to 11:00 pm |
| Friday | October 25, 2019 | 6:00 pm to 11:00 pm |

J-11 Fireworks Permit – 2019 Saint Joseph Chaldean Catholic Church

Resolution #2019-09-104-J-11

RESOLVED, That Troy City Council hereby **ISSUES** a fireworks permit to *Saint Joseph Chaldean Catholic Church of Troy, Michigan*, for the public display of fireworks at 2442 E Big Beaver Rd., Troy, Michigan, for the annual Feast of the Cross celebration on Saturday September 14, 2019.

BE IT FURTHER RESOLVED, That Troy City Council **AUTHORIZES** the Troy Fire Department to 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-12 Fireworks Permit – 2019 Troy Family Daze Festival

Resolution #2019-09-104-J-12

RESOLVED, That Troy City Council hereby **ISSUES** a fireworks permit to *Great Lakes Fireworks, LLC of Eastpointe, Michigan*, for the public display of fireworks at 3179 Livernois, Troy, Michigan, for the annual festival celebration sponsored by North Woodward Community Foundation / Troy Family Daze Festival on Saturday September 14, 2019, with a rain date of Sunday September 15, 2019.

BE IT FURTHER RESOLVED, That Troy City Council **AUTHORIZES** the Troy Fire Department to **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-13 Request to Abandon an Existing Storm Drainage and Storm Sewer Easement Long Lake Square Townhomes, Sidwell #88-20-16-200-008

Resolution #2019-09-104-J-13

RESOLVED, That Troy City Council hereby **VACATES** a storm drainage and storm sewer easement previously recorded in Liber 14865, Pages 175-177 with Oakland County Register of Deeds, and **AUTHORIZES** the Mayor and City Clerk to execute a Quit Claim Deed returning the easement rights to Robertson Long Lake Square, LLC.

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

J-14 Private Agreement – Contract for Installation of Municipal Improvements – Holiday Inn – Project No. 19.912.3

Resolution #2019-09-104-J-14

RESOLVED, That Troy City Council hereby **APPROVES** the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Troy Lodging, LLC, for the installation of Water Main, Sanitary Sewer and Storm Sewer, and **AUTHORIZES** the Mayor and City Clerk to execute the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-15 Amended First Amendment to Development Agreement for Big Beaver Place Planned Unit Development

Resolution #2019-09-104-J-15

BE IT RESOLVED, That Troy City Council hereby **APPROVES** the Amended First Amendment to Development Agreement for Big Beaver Place Planned Unit Development, which reflects the name of the successor entity, **AUTHORIZES** the Mayor and City Clerk to execute the document on behalf of the City, and **DIRECTS** the City Clerk to record the Amended Agreement with the Oakland County Register of Deeds; a copy of the Agreement shall be **ATTACHED** to the original Minutes of this meeting.

J-16 Request to Grant an Underground Utility Easement Over a City Owned Parcel to DTE Electric Company, Comcast Cable Communications, LLC, Consumers Energy, Michigan Bell Telephone Company, d/b/a AT&T Michigan Formerly d/b/a SBC Michigan, and Wide Open West, Inc. – Sidwell #88-20-11-401-002

Resolution #2019-09-104-J-16

RESOLVED, That Troy City Council hereby **GRANTS** a permanent easement for utility purposes to DTE Electric Company, Comcast Cable Communications, LLC, Consumers Energy, Michigan Bell Telephone Company, d/b/a AT&T Michigan formerly d/b/a SBC Michigan, and Wide Open West, Inc. over the City owned property identified with Sidwell #20-11-401-002.

BE IT FURTHER RESOLVED, That Troy City Council **DIRECTS** the Mayor and City Clerk to **EXECUTE** the easement document on behalf of the City, a copy 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) September 23, 2019 – Preliminary Site Plan Review (File Number SP JPLN 2019-0013) – Proposed Ashton Park One-Family Cluster Development, Southeast Corners of East Square Lake and Willow Grove (Parcel #88-20-11-201-001), Section 11, Currently Zoned R-1C (One Family) District

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:

| | |
|-------------|---|
| Tony Haddad | Commented on how much he loves Troy, thanked the Council Members and Mr. Miller for their service to Troy |
|-------------|---|

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 No Council Referral Submitted

O. COUNCIL COMMENTS:

O-1 Council Comments

Council Member Abraham asked City Attorney Bluhm how Council Members should provide feedback for Closed Session items not approved tonight. City Attorney Bluhm responded email or phone calls would be preferred.

Mayor Slater commented that Kim's Chinese Restaurant has closed, and he thanked Margaret and her family for their contributions to the City of Troy. He thanked Kim's Chinese for their donations of food to the Baldwin Center in Pontiac through Mr. Mike Kerr's and Community Affairs Director Cindy Stewart's coordination.

Council Member Abraham commented that Troy Family Daze is this weekend, September 12-15, 2019. She encouraged everyone to especially attend the naturalization ceremony on Thursday, September 12th at 6:00 PM.

P. REPORTS:

P-1 Minutes – Boards and Committees:

- a) Global Troy Advisory Committee-Final – July 24, 2018
- b) Election Commission-Final - October 11, 2018
- c) Global Troy Advisory Committee-Final – December 18, 2018
- d) Global Troy Advisory Committee-Final – January 15, 2019
- e) Global Troy Advisory Committee-Final – February 19, 2019
- f) Global Troy Advisory Committee-Final – April 16, 2019
- g) Retiree Healthcare Benefits Plan & Trust-Final – May 8, 2019
- h) Volunteer Firefighters’ Incentive Plan & Trust Board of Trustees-Final – May 8, 2019
- i) Global Troy Advisory Committee-Final – June 18, 2019
- j) Zoning Board of Appeals-Final – June 18, 2019
- k) Employees’ Retirement System Board of Trustees-Final – June 19, 2019
- l) Global Troy Advisory Committee-Final – July 16, 2019
- m) Planning Commission-Final – July 23, 2019
- n) Building Code Board of Appeals-Draft – August 7, 2019
- o) Planning Commission-Draft – August 13, 2019
- p) Planning Commission-Final – August 13, 2019
- q) Civil Service (Act 78) Commission-Draft – August 15, 2019
- r) Zoning Board of Appeals-Draft – August 20, 2019
- s) Planning Commission-Draft – August 27, 2019
- t) Election Commission-Draft – August 30, 2019

Noted and Filed

P-2 Department Reports:

- a) Ordinance Concern – Chapter 90 – Domestic Animal Ordinance
- b) Cyber Security Report
- c) Active Shooter Training for City Staff – Report
- d) 2018-2019 Financial Audit Engagement Letter

Noted and Filed

P-3 Letters of Appreciation:

- a) To City Council from Tony and Carol DiMarco Regarding Professionalism of Michael Potyok, City Arborist
- b) To Mark Miller from Tina Collins Expressing Thanks for City Sponsorship of the Troy Traffic Jam

Noted and Filed

P-4 Proposed Proclamations/Resolutions from Other Organizations: None Submitted

P-5 Hearing for the Electric Customers of DTE Electric Company – Case No. U-20484

Noted and Filed

P-6 Hearing for the Electric Customers of DTE Electric Company – Case No. U-20366
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

The Meeting **RECESSED** at 10:14 PM.

The Meeting **RECONVENED** at 10:25 PM.

S. CLOSED SESSION

S-1 Closed Session

T. ADJOURNMENT:

The Meeting **ADJOURNED** at 10:55 PM.

Mayor Dane Slater

M. Aileen Dickson, MMC
City Clerk