

Chair Abitheira called the Regular meeting of the Building Code Board of Appeals to order at 3:00 p.m. on December 4, 2019 in the Council Board Room of the Troy City Hall.

1. ROLL CALL

Members Present

Gary Abitheira

Teresa Brooks

Sande Frisen

Mark F. Miller, City Manager

Absent:

Andrew Schuster

Support Staff Present

Salim Huerta, Building Official

Lori Grigg Bluhm, City Attorney

Kathy L. Czarnecki, Recording Secretary

2. APPROVAL OF MINUTES

Ms. Czarnecki asked that the minutes reflect a correction to Mr. Huerta's name on page 6.

Moved by: Frisen

Support by: Miller

**RESOLVED**, To approve the minutes of the September 4, 2019 Regular meeting as revised.

Yes: All present (4)

Absent: Schuster

**MOTION CARRIED**

3. COMMUNICATIONS

a. Reconsideration of Vote on Appeal of Troy Outdoor, LLC and Crossroads LLC

Ms. Bluhm briefly reviewed her memorandum dated November 25, 2019 which was included in the Board's agenda packet. She announced the Plaintiff filed a Motion for Stay to prevent the Board from a reconsideration of the Vote on Appeal. Ms. Bluhm said the Motion for Stay was granted by the Judge at a hearing this morning and therefore the Board cannot entertain a reconsideration of the Vote on Appeal.

Ms. Bluhm addressed the appellate process and engagement of outside legal counsel to represent the City of Troy and the Board in the Appeal. She recommended Gregory Need of Adkison Need Allen & Rentrop PLLC as outside legal counsel for the Board.

A short discussion followed.

Moved by: Brooks

Support by: Miller

**RESOLVED**, That Gregory Need represent this Board as it relates to the Troy Outdoor LLC and Crossroads LLC Appeal.

Yes: All present (4)

Absent: Schuster

**MOTION CARRIED**

4. PUBLIC COMMENT – None

5. MISCELLANEOUS BUSINESS – Approval of 2020 Calendar

After discussion on proposed meeting dates for 2020, it was the consensus of the Board to revise meeting dates for the months of March, July and August.

Moved by: Frisen

Support by: Brooks

**RESOLVED**, To approve the 2020 calendar as proposed with three revisions; March 4, July 8 and August 12.

Yes: All present (4)

Absent: Schuster

**MOTION CARRIED**

Mr. Miller asked that the 2020 calendar be scheduled in Outlook for all members.

6. ADJOURNMENT

The Regular meeting of the Building Code Board of Appeals adjourned at 3:14 p.m.

Respectfully submitted,



Gary Abitheira, Chair



Kathy L. Czarnecki, Recording Secretary