

Pastor Stephen Husava from Northfield Hills Baptist 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, February 10, 2020, at City Hall, 500 W. Big Beaver Rd. Mayor Baker called the meeting to order at 7:30 PM.

**B. ROLL CALL:**

- Mayor Ethan Baker
- Edna Abraham
- Theresa Brooks
- Ann Erickson Gault
- Mayor Pro Tem David Hamilton
- Ellen Hodorek

**C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:**

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**C-1 Recognition from the International City/County Management Association (ICMA) in Honor of 30 Years of Local Government Service Presented to City Manager Mark F. Miller (Presented by: Mayor Ethan Baker)**

**D. CARRYOVER ITEMS:**

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**D-1 No Carryover Items**

**E. PUBLIC HEARINGS:**

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**E-1 Rezoning Request (Z JPLN2019-0030) – Proposed Clearview Homes Rezoning, Southwest Corner of Rochester Road and DeEtta Avenue (88-20-03-278-027), Section 3, From R-1B (One Family Residential) to O (Office) District (Introduced by: R. Brent Savidant, Community Development Director)**

The Mayor opened the Public Hearing.

The Mayor closed the Public Hearing after receiving Public Comment from

Eileen Roys	Opposed to the two-story building and ingress/egress on DeEtta
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Resolution #2020-02-033  
 Moved by Hamilton  
 Seconded by Erickson Gault

WHEREAS, The City is in receipt of a rezoning request, from R-1B to O, File Number Z JPLN2019-0030, as demonstrated by the Ordinance to amend Chapter 39 of the Code of the City of Troy and as illustrated in the Certificate of Survey;

THEREFORE, BE IT RESOLVED, That the proposed rezoning from R-1B to O, being approximately 0.24 acres in area, is hereby **APPROVED**.

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

Yes: All-6  
 No: None

**MOTION CARRIED**

**E-2 Rezoning Request (Z JPLN2019-0025) – Proposed Sylvanwood Court RT Development Rezoning, Northwest Corner of Rochester Road and Sylvanwood (88-20-10-426-029, -030, and -031), Section 10, From R-1C (One Family Residential) to RT (One Family Attached Residential) Zoning District (Introduced by: R. Brent Savidant, Community Development Director)**

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

Don Tarr	Opposed to the rezoning
Matt Mikiczenko	Opposed to the rezoning
Michael Donahue	Opposed to the rezoning
Marcia Bossenberger	Opposed to the rezoning
April Orselli	Opposed to the rezoning
David Orselli	Opposed to the rezoning
Pierre Harik	Opposed to the rezoning
Linda Swenson	Opposed to the rezoning
Bruce Bloomingdale	Opposed to the rezoning

Resolution #2020-02-034  
 Moved by Erickson Gault  
 Seconded by Abraham

WHEREAS, The City is in receipt of a rezoning request, from R-1C to RT, File Number Z JPLN2019-0025, as demonstrated by the Ordinance to amend Chapter 39 of the Code of the City of Troy and as illustrated in the Topographic and Boundary Survey;

THEREFORE, BE IT RESOLVED, That the proposed rezoning from R-1C to RT, being approximately 1.2 acres in area, is hereby **APPROVED**.

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

Yes: None  
 No: All-6

**MOTION FAILED**

Resolution #2020-02-035  
 Moved by Baker  
 Seconded by Hamilton

WHEREAS, The City is in receipt of a rezoning request, from R-1C to RT, File Number Z JPLN2019-0025, as demonstrated by the Ordinance to amend Chapter 39 of the Code of the City of Troy and as illustrated in the Topographic and Boundary Survey;

THEREFORE, BE IT RESOLVED, That the proposed rezoning from R-1C to RT, being approximately 1.2 acres in area, is hereby **DENIED**.

Yes: All-6  
No: None

**MOTION CARRIED**

**F. PUBLIC COMMENT FOR ITEMS ON THE AGENDA:**

Aaron Green	Commented on Item J-5, consider what’s best for society when deciding how to invest
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**G. CITY COUNCIL/CITY ADMINISTRATION RESPONSE/REPLY TO PUBLIC COMMENT:**

Mayor Pro Tem Hamilton	Commented that he is on the Retirement Board and will look into Mr. Green’s suggestion
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**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 – Personnel Board

a) Mayoral Appointments: None

b) City Council Appointments:

Resolution #2020-02-036  
Moved by Hamilton  
Seconded by Abraham

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

Personnel Board  
Appointed by Council  
5 Regular Members  
3 Year Term

**Nominations to the Personnel Board:****Term Expires: 4/30/2021****Jeffrey Forster**

Term currently held by: Vacancy

Yes: All-6

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 Request for Closed Session**

Resolution #2020-02-037

Moved by Erickson Gault

Seconded by Hodorek

BE IT RESOLVED, That Troy City Council **SHALL MEET** in Closed Session, as permitted by MCL 15.268 (e) (United States of America v City of Troy and ADAM v Troy).

Yes: All-6

No: None

**MOTION CARRIED****I-4 Standard Purchasing Resolution 2: Sole Bidder Meeting Specifications – Pool Repairs – Troy Community Center Pools and Troy Family Aquatic Center (TFAC) and Budget Amendment (*Introduced by: Brian Goul, Assistant Recreation Director*)**

Resolution #2020-02-038

Moved by Brooks

Seconded by Hamilton

RESOLVED, That Troy City Council hereby **AWARDS** a contract to furnish all labor, materials, and equipment to re-marcite and re-grout tile in all the pools at the Troy Community Center and the Troy Family Aquatic Center to the sole bidder meeting specifications, *Clearwater Pools and Services Inc. of Ann Arbor, MI* for an estimated cost of \$178,975, at prices contained in the bid tabulation opened January 23, 2020, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** amending the 2020 Aquatic Center Capital budget from \$100,000 to \$126,085.

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

Yes: All-6  
No: None

**MOTION CARRIED**

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**I-5 Contract Ratification – Troy Command Officers Association (TCOA) (Introduced by: Jeanette Menig, Human Resources Director)**

Resolution #2020-02-039  
Moved by Abraham  
Seconded by Hodorek

RESOLVED, That Troy City Council hereby **RATIFIES** the collective bargaining agreement between the City of Troy and the Troy Command Officers Association (TCOA) for the period July 1, 2019 through June 30, 2024, and the Mayor and City Clerk are **AUTHORIZED** to execute the final agreement; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-6  
No: None

**MOTION CARRIED**

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**I-6 Candidates for City Council Appointment (Introduced by: Aileen Dickson, City Clerk)**

The following candidates were invited by City Council for interviews during the Regular City Council Meeting of February 24, 2020:

- Daniel Agauas
- David Anderson
- Rebecca Chamberlain-Creanga
- Mahendra Kenkre
- Sunilkumar Sivaraman

**J. CONSENT AGENDA:**

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

Resolution #2020-02-040-J-1a  
Moved by Abraham  
Seconded by Hamilton

RESOLVED, That Troy City Council hereby **APPROVES** all items on the Consent Agenda as presented.

Yes: All-6  
No: None

## **MOTION CARRIED**

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### **J-1b Address of “J” Items Removed for Discussion by City Council**

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### **J-2 Approval of City Council Minutes**

Resolution #2020-02-040-J-2

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

- a) City Council Special Meeting Minutes-Draft – January 27, 2020
- b) City Council Meeting Minutes-Draft – January 27, 2020
- c) Special Joint City Council and Planning Commission Meeting Minutes-Draft – February 4, 2020

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### **J-3 Proposed City of Troy Proclamations: None Submitted**

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### **J-4 Standard Purchasing Resolutions:**

- a) **Standard Purchasing Resolution 10: Travel Authorization and Approval to Expend Funds for Troy City Council Member Travel – Michigan Municipal League Cap Con 2020**

Resolution #2020-02-040-J-4a

RESOLVED, That Council **AUTHORIZES** City Council Member travel expenses for the Michigan Municipal League Cap Con 2020, in accordance with accounting procedures of the City of Troy.

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### **J-5 City of Troy Investment Policy and Establishment of Investment Accounts**

Resolution #2020-02-040-J-5

RESOLVED, That Troy City Council hereby **APPROVES** the *Investment Policy and Establishment of Investment Accounts* as outlined in the memorandum and revised by Chief Financial Officer, Robert C. Maleszyk, dated February 3, 2020; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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### **J-6 Contract Extension – Audit Services**

Resolution #2020-02-040-J-6

WHEREAS, The *Rehmann Group of Troy, MI* has offered to extend the current contract for fiscal year ending June 30, 2020 at a cost of \$63,700; and,

WHEREAS, The *Rehmann Group* has consistently met all expectations during the years under audit; and,

WHEREAS, The *Rehmann Group* is located in the City of Troy and nationally recognized as a leader in providing local governmental assurance services;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **DEEMS** it to be in the City's best interest to **APPROVE** and **EXTEND** the contract to provide Auditing Services for the City of Troy for one (1) year; fiscal year ending June 30, 2020 by the *Rehmann Group of Troy, MI* for a fee of \$63,700 and if required \$4,000 for the Single Audit, for an estimated grand total amount of \$67,700.

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#### **J-7 Tollbrook LLC v City of Troy**

Resolution #2020-02-040-J-7

RESOLVED, That the Troy City Council **AUTHORIZES** and **DIRECTS** the City Attorney to represent the City of Troy in any and all claims and damages in the appeal and the complaint in *Tollbrook LLC v. City of Troy* (Case No. 2020-178896-AA), and any subsequently amended pleading arising out of the Zoning Board of Appeal's denial of Tollbrook LLC's requested use variance on November 19, 2019 or the Troy City Council's denial of Tollbrook LLC's requested denial of rezoning on July 22, 2019.

BE IT FURTHER RESOLVED, That Troy City Council **AUTHORIZES** the City Attorney to pay necessary costs and fees in the defense of the action.

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#### **J-8 Tollbrook West LLC v City of Troy**

Resolution #2020-02-040-J-8

RESOLVED, That Troy City Council hereby **AUTHORIZES** and **DIRECTS** the City Attorney to represent the City of Troy in any and all claims and damages in the appeal and the complaint in *Tollbrook West LLC v. City of Troy* (Case No. 2020-178899-AA), and any subsequently amended pleading arising out of the Zoning Board of Appeal's denial of Tollbrook West LLC's requested use variance on November 19, 2019 or the Troy City Council's denial of Tollbrook West LLC's requested denial of rezoning on July 22, 2019.

BE IT FURTHER RESOLVED, That Troy City Council **AUTHORIZES** the City Attorney to pay necessary costs and fees in the defense of the action.

**K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:****K-1 Announcement of Public Hearings:**

- a) March 16, 2020 – Announcement of Public Hearing to Transfer the Final Two (2) Years of a Plant Rehabilitation Exemption Certificate (PREC) – 1400 Rochester Road – From Axle Tech to Flex N Gate

**K-2 Memorandums (Items submitted to City Council that may require consideration at some future point in time):**

- a) Changes to Volunteer Firefighters Incentive Program

**L. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:**

Marv Reinhardt	Spoke about various topics
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**M. CITY COUNCIL/CITY ADMINISTRATION RESPONSE/REPLY TO PUBLIC COMMENT:****N. COUNCIL REFERRALS:**

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

**N-1 No Council Referrals****O. COUNCIL COMMENTS:****O-1 Council Comments**

Council Member Erickson Gault reminded everyone that this week is Charity Week at Troy Athens High School. This week, Athens High School is raising money for Elli's House. She encouraged everyone to donate and attend the many events this week.

Council Member Abraham commented that City Council and the Planning Commission had a joint session last week. She encouraged everyone to watch the video of the meeting, especially residents who have concerns about development in Troy. She thanked City Administration for leading that session and planning the discussion.

Mayor Pro Tem Hamilton commented that this Wednesday, February 12, is the State of the County address. He encouraged everyone to watch the address online.

Council Member Brooks commented that in honor of Black History Month, the Troy Public Library has displays of books for all ages to learn about the many American heroes.

Council Member Brooks announced that the Economic Development Department will be conducting a series of small business workshops at the Troy Public Library starting February 11, 2020. A list of upcoming workshops and topics are available on the City website.



Council Member Brooks commented on the coronavirus, and she reassured the public that the United States has protocols in place and is prepared for an emergency biologic outbreak. She commented that the flu is more of a concern than coronavirus in the United States.

Mayor Baker commented that this Thursday is the Strategy Session for City Council and City Administration. He encouraged residents to send Council or City Administration their ideas.

Mayor Baker commented that the interviews for the Council Member appointment will be conducted at the Regular City Council Meeting on February 24, 2020. He said that each member of City Council will ask one question to each candidate, and the questions will be the same for all candidates.

**P. REPORTS:**

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

- a) Election Commission-Final – September 26, 2019
  - b) Planning Commission-Final – January 14, 2020
  - c) Planning Commission-Draft – January 28, 2020
  - d) Election Commission-Draft – January 30, 2020
- Noted and Filed

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**P-2 Department Reports:**

- a) City of Troy’s Regulation of Medical and Recreational Marihuana
- Noted and Filed

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**P-3 Letters of Appreciation: None Submitted**

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

The Meeting **RECESSED** at 10:12 PM.

The Meeting **RECONVENED** at 10:26 PM.

**Q. CLOSED SESSION**

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**Q-1 Closed Session**

**R. ADJOURNMENT:**

The Meeting **ADJOURNED** at 10:52 PM.

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Mayor Ethan Baker

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M. Aileen Dickson, MMC  
City Clerk