

**A. CALL TO ORDER:**

A Regular Meeting of the Troy City Council was held electronically on Monday, September 21, 2020. Mayor Baker called the meeting to order at 7:30 PM.

**B. ROLL CALL:**

Mayor Ethan Baker  
 Edna Abraham  
 Theresa Brooks  
 Rebecca A. Chamberlain-Creangă  
 Ann Erickson Gault  
 Mayor Pro Tem David Hamilton  
 Ellen Hodorek

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

**C-1** Proclamation in Recognition of Kaori Marikawa For Donating Her Time and Talents to Her Community During COVID-19 Pandemic *(Presented by: Mayor Ethan Baker)*

**C-2** Service Commendation for Troy Historic Village Executive Director Loraine Campbell *(Presented by: Mayor Ethan Baker)*

**C-3** Proclamation for Childhood Cancer Awareness Month – September, 2020 *(Presented by: Mayor Ethan Baker)*

**C-4** Proclamation for Welcoming Week – September 12-20, 2020 *(Presented by: Mayor Ethan Baker)*

**D. CARRYOVER ITEMS:**

**D-1** No Carryover Items

**E. PUBLIC HEARINGS:**

**E-1** No Public Hearings

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

Cynthia Green	Spoke in support of the Troy Family Aquatic Center
Manisha Bajwa	Spoke in support of the Troy Family Aquatic Center
Michelle Maleszyk	Spoke in support of the Troy Family Aquatic Center
Allison Case	Spoke in support of the Troy Family Aquatic Center
Thomas Templin	Spoke in support of the Troy Family Aquatic Center
John (A Concerned Citizen)	Spoke with concerns about developments removing trees
Kathryn Christy	Spoke in support of the Troy Family Aquatic Center

Lisa Cranfill	Spoke in support of the Troy Family Aquatic Center
Jon Gunnells	Spoke in support of the Troy Family Aquatic Center
Edmond & Axelle Megerian	Spoke in support of the Troy Public Library
Julia Genord	Spoke in support of the Troy Family Aquatic Center
Kristine Kelly	Spoke in support of the Troy Family Aquatic Center
Troy Resident	Spoke in support of the Troy Family Aquatic Center
Matt Barker	Spoke in support of the Troy Family Aquatic Center
Meg Kaatz	Spoke in support of the Troy Family Aquatic Center
Jyl Boehms	Spoke in support of the Troy Family Aquatic Center
Kristen Beesley	Spoke in support of the Troy Family Aquatic Center
Mary Lynn Bowen	Spoke in support of the Troy Public Library
A Concerned Citizen	Spoke supporting changes to the Troy Family Aquatic Center
Diana Williams	Spoke in support of the Troy Family Aquatic Center
Lisa Fairbourn	Spoke in support of the Troy Family Aquatic Center
Wallace Hinman	Spoke in support of the Troy Family Aquatic Center
Troy Resident	Spoke in support of the Troy Family Aquatic Center
Kristina Ottenwess	Spoke in support of the Troy Family Aquatic Center
Gerrit Allen	Spoke in opposition to the Troy Public Library millage
Shweta	Spoke in support of the Troy Public Library
Mario & Loraine Scussel	Spoke about loud I-75 traffic noise.
Todd Montri	Spoke in support of the Troy Family Aquatic Center
Angela Croci	Spoke in support of the Troy Family Aquatic Center
Susan Sevek	Spoke in support of the Troy Family Aquatic Center
Jim & Sue Kator	Spoke in support of the Troy Family Aquatic Center
Steven Fallon	Spoke in support of the Troy Family Aquatic Center
Diane McCormick	Spoke in support of the Troy Family Aquatic Center
Christopher Healy	Spoke in support of the Troy Family Aquatic Center
Donna Healy	Spoke in support of the Troy Family Aquatic Center
Carol James	Spoke in support of the Troy Family Aquatic Center
Eleni Dilis	Spoke in support of the Troy Family Aquatic Center
Alex Jakstys	Spoke in support of the Troy Family Aquatic Center
Emily Kays	Spoke in support of the Troy Family Aquatic Center
Lawrence Younan	Spoke in support of the Troy Family Aquatic Center
Lillian Karamanian	Spoke in opposition of the Troy Family Aquatic Center
Jodi Fisher	Spoke in support of the Troy Family Aquatic Center
Jennifer Henderson-Zaner	Spoke in support of the Troy Family Aquatic Center
Kristie Haerens	Spoke in support of the Troy Family Aquatic Center being open for Troy residents only.
Harry Mac Lean	Spoke in support of the Troy Family Aquatic Center
Dawn Turner	Spoke in support of the Troy Family Aquatic Center

Denise & Jerome Konchel	Spoke in support of the Troy Family Aquatic Center
Donna Modras	Spoke in support of the Troy Family Aquatic Center
Cindy Kaiser	Spoke in support of the Troy Family Aquatic Center
Adrienne Guilbert	Spoke in support of the Troy Family Aquatic Center
Troy Resident	Spoke in support of the Troy Family Aquatic Center
Randall Fournier	Spoke in support of the Troy Family Aquatic Center
Carole Kassab	Spoke in support of the Troy Family Aquatic Center
Shila Edwards	Spoke in support of the Troy Family Aquatic Center
Aaron Huffer	Spoke in support of the Troy Family Aquatic Center
Ashleigh Jennings	Spoke in support of the Troy Family Aquatic Center
Susan Becker	Spoke in support of the Troy Family Aquatic Center
Alex August	Spoke in support of the Troy Family Aquatic Center
Lauren Henderson	Spoke in support of the Troy Family Aquatic Center
Jennifer & Preston Egan	Spoke in support of the Troy Family Aquatic Center
Karen Guilbert	Spoke in support of the Troy Family Aquatic Center
Dorene Randall	Spoke in support of the Troy Family Aquatic Center
Leslie & Dave Fischer	Spoke in support of the Troy Family Aquatic Center
Heather Carr	Spoke in support of the Troy Family Aquatic Center
Renis Nushaj	Spoke about enforcement and prosecution of ordinance violations
William Guilbert	Spoke in support of the Troy Family Aquatic Center
Lisa Bica Grodsky	Spoke in support of the Troy Family Aquatic Center
Albert Zolton	Spoke in support of the Troy Family Aquatic Center
Bridget & Mark Bealin	Spoke in support of the Troy Family Aquatic Center
Cherie Hodges	Spoke in support of the Troy Family Aquatic Center
Margaret Richards	Spoke in support of the Troy Family Aquatic Center
Hiba Jumaah	Spoke in support of the Troy Family Aquatic Center
State Representative Padma Kuppa	Provided a legislative update.
State Senator Mallory McMorrow	Provided a legislative update
Matt (A Concerned Citizen)	Spoke in support of the Troy Family Aquatic Center
Natalie Rollinger	Spoke in support of the Troy Family Aquatic Center
Sayed (Troy Resident)	Spoke in support of Welcoming Michigan
Daniela Natcheva	Spoke in support of the Welcoming America membership
Syeda Mohiuddin	Spoke in support of the Welcoming America membership
Sheila Webster	Spoke in support of the Troy Family Aquatic Center
Resident	Spoke in support of the Troy Family Aquatic Center
Jeanne Stine	Spoke in support of the Troy Family Aquatic Center
Nina (Resident)	Spoke in support of the Troy Family Aquatic Center

Gabriella Grodsky	Spoke in support of the Troy Family Aquatic Center
Sandy Jegersky-Macknis	Spoke in support of the Troy Family Aquatic Center
Lisa Bica Grodsky	Spoke in support of the Welcoming America membership
Catherine Fleming	Spoke in support of the Troy Family Aquatic Center

The Meeting **RECESSED** at 8:50 PM.

The Meeting **RECONVENED** at 9:00 PM.

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

Mayor Baker thanked everyone for their support of the Troy Public Library and Library Director Cathy Russ.

Mayor Baker asked City Administration if they could address the comments from Mr. and Mrs. Scussel. City Manager Miller commented on the traffic noise and said he will have Mr. Huotari contact the residents.

Mayor Baker thanked State Senator Mallory McMorrow and State Representative Padma Kuppa for their legislative update.

Mayor Baker commented on the public comment from Mr. Nusaj. City Attorney Bluhm commented on her disappointment with his comment and will address this at a later time.

Mayor Baker thanked residents for their comments on the Troy Family Aquatic Center.

Mayor Pro Tem Hamilton thanked everyone who responded to Mayor Baker's post on Facebook and he thanked Mayor Baker for providing the information as a Late Submittal item.

Council Member Abraham commented that she knows the areas who have lost forests, and she appreciates those comments. She commented that the previous City Council approved a tree protection ordinance in 2016. She said that City Council cannot control what owners do with their property, but it can prevent wholesale clearcutting. She said she understands greenspace and overdevelopment are huge concerns for residents.

Council Member Hodorek commented that Lansing tried to pass a law to upend our tree ordinance, but City Council pushed back and was successful in protecting our greenspace.

Mayor Pro Tem Hamilton expressed thanks to Mayor Stine for her comments on the Troy Family Aquatic Center.

**H. POSTPONED ITEMS:****H-1 No Postponed Items****I. REGULAR BUSINESS:****I-1 Board and Committee Appointments: a) Mayoral Appointments – Downtown Development Authority; b) City Council Appointments – Historic District Commission, Parks and Recreation Board****a) Mayoral Appointments: None**

Resolution #2020-09-130

Moved by Baker

Seconded by Hamilton

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:

**Downtown Development Authority**

Appointed by Mayor

13 Regular Members

4 Year Term

**Nominations to the Downtown Development Authority:****Term Expires: 9/30/2024****Cheryl Bush**

Term currently held by: Cheryl Bush

**Term Expires: 9/30/2024****Laurence Keisling**

Term currently held by: Laurence Keisling

**Term Expires: 9/30/2024****Alan Kiriluk**

Term currently held by: Alan Kiriluk

Yes: All-7

No: None

**MOTION CARRIED****b) City Council Appointments:**

Resolution #2020-09-131

Moved by Hamilton

Seconded by Brooks

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

**Historic District Commission**

Appointed by Council

7 Regular Members

3 Year Term

**Nominations to the Historic District Commission:****Term Expires: 3/1/2023****Susanne Forbes Dicker**

Term currently held by: Laurie Huber (No Reappointment)

Yes: All-7  
No: None

**MOTION CARRIED**

Resolution #2020-09-132

Moved by Hamilton

Seconded by Brooks

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 Board Member: 1 Year Term

**Nominations to the Parks and Recreation Board:****Term Expires: 9/30/2023****Kelly Martin**

Term currently held by: Kelly Martin

**Term Expires: 9/30/2023****Casey Colussi**

Term currently held by: Timothy McGee

Yes: All-7  
No: None

**MOTION CARRIED**

**I-2 Board and Committee Nominations: a) Mayoral Nominations – Downtown Development Authority; b) City Council Nominations – None**

**a) Mayoral Nominations:**

Resolution #2020-09-133

Moved by Baker

Seconded by Erickson Gault

RESOLVED, That the Mayor of the City of Troy 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:

**Downtown Development Authority**

Appointed by Mayor  
13 Regular Members  
4 Year Term

**Nominations to the Downtown Development Authority:**

**Term Expires: 9/30/2024**

**Tara Tomcsik-Husak**

Term currently held by: Dennis Bostick

Yes: All-7

No: None

**MOTION CARRIED**

b) **City Council Nominations: None**

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**I-3 No Request for Closed Session**

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**I-4 Approval of Bond Refunding Resolution (*Introduced by: Mark Miller, City Manager, Lori Grigg Bluhm, City Attorney, and Robert Maleszyk, Chief Financial Officer*)**

Resolution #2020-09-134

Moved by Erickson Gault

Seconded by Chamberlain-Creangă

At a regular meeting of the City Council of the City of Troy, Oakland County, Michigan, held on September 21, 2020.

PRESENT: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ABSENT: \_\_\_\_\_

The following resolution was made by \_\_\_\_\_ and seconded by \_\_\_\_\_:

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED  
\$11,000,000 GENERAL OBLIGATION LIMITED TAX  
REFUNDING BONDS, SERIES 2020 (TAXABLE)

WHEREAS, pursuant to Act 197 of the Public Acts of Michigan of 1975, as amended (“Act 197”), which was subsequently repealed and recodified in 2018 as Part 2 of Act 57, Public Acts of Michigan, 2018 (“Act 57”), and Ordinance 78 adopted by the City Council of the City of Troy (the “City”) on July 12, 1993, the City Council created the Downtown Development Authority of the City of Troy (the “DDA”); and,

WHEREAS, pursuant to Act 197 and Ordinance 80 adopted by the City Council of the City of December 13, 1993, the City Council approved the Development Plan and Tax Increment Financing Plan (the “Plan”), which Plan, prior to 2013, was subsequently amended in 1998, 2000, 2002 (twice) and 2007; and,

WHEREAS, the DDA previously issued the following bonds pursuant to Act 197, secured solely by tax increment revenues, as defined in Act 197 (“Tax Increment Revenues”), received by the DDA to finance the implementation of a portion of the Plan: (i) Downtown Development Authority Development and Refunding Bonds, Series 2001 in the aggregate principal amount of \$24,000,000 to finance the cost of roadway and streetscape improvements to Big Beaver Road and to refinance a portion of the cost of the parking garage adjacent to Somerset North, (ii) Community Center Facility Bonds, Series 2002 in the aggregate principal amount of \$9,700,000 to finance a portion of the cost of constructing the Troy Community Center, and (iii) Community Facility Center Junior Lien Bonds, Series 2003 in the aggregate principal amount of \$4,025,000

to finance a portion of the cost of constructing the Troy Community Center (such bonds are collectively referred to as the “DDA Bonds”); and

WHEREAS, although the schedules prepared as part of each issue of DDA Bonds projected that there would be sufficient Tax Increment Revenues to cover all of the debt service on the DDA Bonds, there was an unanticipated decline in property values in the Plan’s Development Area beginning in 2008, and a corresponding decrease in the available Tax Increment Revenues to the extent that they would have been unable to pay the debt service on the DDA Bonds as of November 1, 2013; and

WHEREAS, in order to prevent a default on the DDA Bonds, the City Council, on August 12, 2013, approved amendments to the Plan that (i) extended the Plan to December, 2033 to allow for the capture of annual Tax Increment Revenues to ultimately pay off the indebtedness represented by the DDA Bonds, (ii) removed certain properties that had significantly decreased in value from the Plan’s Development Area to enable the DDA to realize a capture of Tax Increment Revenues from the revised Development Area in amounts sufficient to pay the annual debt service on the 2013 Bonds (as hereinafter defined) and (iii) contemplated that the City would issue general obligation bonds to refund the DDA Bonds, which would require the City to pledge its limited tax full faith and credit, but which would be secured primarily by the Tax Increment Revenues to be derived from the revised Development Area for the extended period of time(the Plan, as amended in 2013, the “Amended Plan”); and

WHEREAS, the DDA, by resolution adopted on July 24, 2013, approved and submitted to the City Council an estimate of the Tax Increment Revenues and other revenue available under Section 11 of Act 197 to be available for payment of principal and interest on the 2013 Bonds, and

WHEREAS, the City Council, on August 12, 2013, also adopted a resolution (the “2013 Bond Resolution”), which authorized the issuance of the City’s General Obligation Limited Tax

Bonds, Series 2013 (the “2013 Bonds”) pursuant to Act 197 and the Amended Plan for the purpose of paying all or part of the cost of implementing the Amended Plan and refunding the outstanding DDA Bonds in connection therewith and also approved the foregoing estimate of the DDA with respect to the Tax Increment Revenues and other revenue under Section 11 of Act 197 to be available for payment of the principal of and interest on the 2013 Bonds; and

WHEREAS, the 2013 Bonds were issued on September 30, 2013 in the aggregate principal amount of \$14,945,000 maturing on November 1 in the years 2014 through 2033; and

WHEREAS, the 2013 Bonds remain outstanding in the principal amount of \$13,385,000, and the City has been advised that certain of the 2013 Bonds could be redeemed and thereby secure savings for the City and benefit the taxpayers of the City; and

WHEREAS, Part VI of Act No. 34, Public Acts of Michigan, 2001, as amended (“Act 34”), authorizes the City to refund all or any part of its outstanding securities including the 2013 Bonds; and

WHEREAS, the City has received a proposal from Huntington Securities, Inc. (the “Underwriter”) to refund all or part of the outstanding 2013 Bonds; and

WHEREAS, it is in the best interests of the City that bonds be sold to refund the 2013 Bonds.

NOW, THEREFORE, BE IT RESOLVED that:

1. AUTHORIZATION OF 2020 BONDS – PURPOSE. Bonds of the City aggregating the principal sum of not to exceed Eleven Million Dollars (\$11,000,000) (the “2020 Bonds”), as determined by the City Manager at the time of sale, shall be issued and sold pursuant to the provisions of Act 34, and other applicable statutory provisions, for the purpose of refunding all or part of the outstanding 2013 Bonds (the “2013 Bonds To Be Refunded”). The City Manager shall determine which of the 2013 Bonds shall be refunded and the principal amount of the 2020 Bonds at the time of sale.

2. BOND DETAILS. The 2020 Bonds shall be designated “General Obligation Limited Tax Refunding Bonds, Series 2020 (Taxable);” shall be dated as of the date of delivery thereof to the Underwriter; shall be numbered from 1 upwards; shall be fully registered; shall be in the denomination of \$5,000 each or any integral multiple thereof not exceeding the aggregate principal amount for each maturity at the option of the purchaser thereof; shall bear interest at a rate or rates not exceeding 5.00% per annum as shall be determined by the City Manager at the time of sale, payable on each May 1 and November 1 as shall be determined by the City Manager at the time of sale; shall be mature on November 1 in such years and in such principal amounts as shall be determined by the City Manager at the time of sale; and shall be serial bonds and/or term bonds as shall be determined by the City Manager at the time of sale.

3. PAYMENT OF PRINCIPAL AND INTEREST. The principal of and interest on the 2020 Bonds shall be payable in lawful money of the United States. Principal shall be payable upon presentation and surrender of the 2020 Bonds to the bond registrar and paying agent as they severally mature. Interest shall be paid to the registered owner of each 2020 Bond as shown on the registration books at the close of business on the fifteenth day of the calendar month preceding the month in which the interest payment is due. Principal and interest shall be paid when due by wire transfer or by check or draft drawn upon and mailed by the bond registrar and paying agent to the registered owner at the registered address.

4. PRIOR REDEMPTION. The 2020 Bonds shall be subject to mandatory and/or optional redemption prior to maturity if so determined by the City Manager at the time of sale and if so determined, upon such terms and conditions as shall be approved by the City Manager.

5. BOOK-ENTRY SYSTEM. Initially, one fully-registered 2020 Bond for each maturity, in the aggregate amount of such maturity, shall be issued in the name of Cede & Co., as nominee of The Depository Trust Company (“DTC”) for the benefit of other parties (the “Participants”) in the book-entry-only transfer system of DTC. In the event the City determines

that it is in the best interest of the City not to continue the book-entry system of transfer or that the interests of the holders of the 2020 Bonds might be adversely affected if the book-entry system of transfer is continued, the City may notify DTC and the bond registrar and paying agent, whereupon DTC will notify the Participants of the availability through DTC of 2020 Bond certificates. In such event, the bond registrar and paying agent shall deliver, transfer and exchange 2020 Bond certificates as requested by DTC and any Participant or "beneficial owner" in appropriate amounts in accordance with this resolution. DTC may determine to discontinue providing its services with respect to the 2020 Bonds at any time by giving notice to the City and the bond registrar and paying agent and discharging its responsibilities with respect thereto under applicable law or the City may determine that DTC is incapable of discharging its duties and may so advise DTC. In either such event, the City shall use reasonable efforts to locate another securities depository. Under such circumstances (if there is no successor securities depository), the City and the bond registrar and paying agent shall be obligated to deliver 2020 Bond certificates in accordance with the procedures established by this resolution. In the event 2020 Bond certificates are issued, the provisions of this resolution shall apply to, among other things, the transfer and exchange of such certificates and the method of payment of principal of and interest on such certificates. Whenever DTC requests the City and the bond registrar and paying agent to do so, the City and the bond registrar and paying agent shall cooperate with DTC in taking appropriate action after reasonable notice to make available one or more separate certificates evidencing the 2020 Bonds to any Participant having 2020 Bonds credited to its DTC account or to arrange for another securities depository to maintain custody of certificates evidencing the 2020 Bonds.

Notwithstanding any other provision of this resolution to the contrary, so long as any 2020 Bond is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to the principal of, interest on and redemption premium, if any, on such 2020 Bonds and all notices

with respect to the 2020 Bonds shall be made and given, respectively, to DTC as provided in the Blanket Issuer Letter of Representations between DTC and the City. The City has previously signed the Blanket Issuer Letter of Representations and the City Manager is authorized on behalf of the City to sign such additional documents as requested by DTC as he deems necessary or appropriate in order to accomplish the issuance of the 2020 Bonds in accordance with law and this resolution.

6. BOND REGISTRAR AND PAYING AGENT. The City Manager shall designate, and may enter into an agreement with, a bond registrar and paying agent for the 2020 Bonds which shall be a bank or trust company located in the State of Michigan that is qualified to act in such capacity under the laws of the United States of America or the State of Michigan. The City Manager from time to time as required may designate a similarly qualified successor bond registrar and paying agent.

7. EXECUTION, AUTHENTICATION AND DELIVERY OF 2020 BONDS. The 2020 Bonds shall be executed in the name of the City by the manual or facsimile signatures of the Mayor and the City Clerk and authenticated by the manual signature of an authorized representative of the bond registrar and paying agent, and the seal of the City (or a facsimile thereof) shall be impressed or imprinted on the 2020 Bonds. After the 2020 Bonds have been executed and authenticated for delivery to the original purchaser thereof, they shall be delivered by the City Treasurer or the City Manager to the purchaser of the 2020 Bonds upon receipt of the purchase price. Additional 2020 Bonds bearing the manual or facsimile signatures of the Mayor and the City Clerk may be delivered to the bond registrar and paying agent for authentication and delivery in connection with the exchange or transfer of the 2020 Bonds. The bond registrar and paying agent shall indicate on each 2020 Bond the date of its authentication.

8. EXCHANGE AND TRANSFER OF 2020 BONDS. Any 2020 Bond, upon surrender thereof to the bond registrar and paying agent with a written instrument of transfer satisfactory to

the bond registrar and paying agent duly executed by the registered owner or his duly authorized attorney, at the option of the registered owner thereof, may be exchanged for 2020 Bonds of any other authorized denominations of the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered 2020 Bond.

Each 2020 Bond shall be transferable only upon the books of the City, which shall be kept for that purpose by the bond registrar and paying agent, upon surrender of such 2020 Bond together with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the registered owner or his duly authorized attorney.

Upon the exchange or transfer of any 2020 Bond, the bond registrar and paying agent on behalf of the City shall cancel the surrendered 2020 Bond and shall authenticate and deliver to the transferee a new 2020 Bond or Bonds of any authorized denomination of the same aggregate principal amount and maturity date and bearing the same rate of interest as the surrendered 2020 Bond. If, at the time the bond registrar and paying agent authenticates and delivers a new 2020 Bond pursuant to this Section, payment of interest on the 2020 Bonds is in default, the bond registrar and paying agent shall endorse upon the new 2020 Bond the following: "Payment of interest on this bond is in default. The last date to which interest has been paid is \_\_\_\_\_, \_\_\_\_."

The City and the bond registrar and paying agent may deem and treat the person in whose name any 2020 Bond shall be registered upon the books of the City as the absolute owner of such 2020 Bond, whether such 2020 Bond shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such 2020 Bond and for all other purposes, and all payments made to any such registered owner, or upon his order, in accordance with the provisions of Section 3 of this resolution shall be valid and effectual to satisfy and discharge the liability upon such 2020 Bond to the extent of the sum or sums so paid, and neither the City nor the bond registrar and paying agent shall be affected by any notice to the contrary. The City

agrees to indemnify and save the bond registrar and paying agent harmless from and against any and all loss, cost, charge, expense, judgment or liability incurred by it, acting in good faith and without negligence hereunder, in so treating such registered owner.

For every exchange or transfer of 2020 Bonds, the City or the bond registrar and paying agent may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer.

The bond registrar and paying agent shall not be required to transfer or exchange 2020 Bonds or portions of 2020 Bonds that have been selected for redemption.

9. FORM OF 2020 BONDS. The 2020 Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA  
STATE OF MICHIGAN  
COUNTY OF OAKLAND

CITY OF TROY  
GENERAL OBLIGATION LIMITED TAX REFUNDING BOND, SERIES 2020 (TAXABLE)

<u>INTEREST RATE</u>	<u>MATURITY DATE</u>	<u>DATE OF ORIGINAL ISSUE</u>	<u>CUSIP</u>
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Registered Owner:

Principal Amount:

The City of Troy, County of Oakland, State of Michigan (the "City"), acknowledges itself indebted to, and for value received hereby promises to pay to, the Registered Owner identified above, or registered assigns, the Principal Amount set forth above on the Maturity Date specified above, unless redeemed prior thereto as hereinafter provided, upon presentation and surrender of this bond at the corporate trust office of \_\_\_\_\_, the bond registrar and paying agent, located in \_\_\_\_\_, Michigan, or at such successor bond registrar and paying agent as may be designated pursuant to the Resolution (as hereinafter defined), and to pay to the Registered Owner, as shown on the registration books at the close of business on the 15<sup>th</sup> day of the calendar month preceding the month in which an interest payment is due, by wire transfer or by check or draft drawn upon and mailed by the bond registrar and paying agent by first class mail postage prepaid to the Registered Owner at the registered address, interest on such Principal Amount from the Date of Original Issue set forth above, or such later date through which interest has been paid, until the City's obligation with respect to the payment of such Principal Amount is discharged, at the rate per annum specified above. Interest is payable on the first days of May and November in each year, commencing on \_\_\_\_\_, 202\_. Principal and interest are payable in lawful money of the United States of America.

This bond is one of a series of bonds aggregating the principal sum of \_\_\_\_\_ Dollars (\$\_\_\_\_\_) issued by the City under and pursuant to and in full conformity with the Constitution and Statutes of Michigan (especially Act No. 34, Public Acts of 2001, as amended ("Act 34") and Act No. 57, Public Acts of 2018 ("Act 57")) and a resolution adopted by the City Council of the City on September 21, 2020 (the "Resolution"), for the purpose of refunding the City's General Obligation Refunding Bonds, Series 2013 (the "2013 Bonds") maturing in the years \_\_\_\_\_ through 2033. The 2013 Bonds were issued by the City to pay part of the cost of implementing the Development Plan and Tax Increment Financing Plan (the "Plan") of the Downtown Development Authority of the City of Troy (the "DDA") and in connection therewith, refunding all of the outstanding bonds of the DDA originally issued to pay such cost. The tax increment revenues and other revenue received by the DDA pursuant to Section 211 of Act 57 and the full faith and credit of the City have been pledged to the prompt payment of the principal of and interest on this bond. In the event and to the extent that such tax increment revenues and other revenue are not sufficient to pay the principal of and interest on the bonds of this series, such principal and interest are payable as a

first budget obligation of the City from its general funds. Taxes imposed by the City are subject to constitutional, statutory and charter tax limitations.

This bond is transferable, as provided in the Resolution, only upon the books of the City kept for that purpose by the bond registrar and paying agent, upon the surrender of this bond together with a written instrument of transfer satisfactory to the bond registrar and paying agent duly executed by the Registered Owner or his attorney duly authorized in writing. Upon the exchange or transfer of this bond a new bond or bonds of any authorized denomination, in the same aggregate principal amount and of the same interest rate and maturity, shall be authenticated and delivered to the transferee in exchange therefor as provided in the Resolution, and upon payment of the charges, if any, therein provided. Bonds so authenticated and delivered shall be in the denomination of \$5,000 or any integral multiple thereof not exceeding the aggregate principal amount for each maturity.

The bond registrar and paying agent shall not be required to transfer or exchange bonds or portions of bonds that have been selected for redemption.

#### MANDATORY PRIOR REDEMPTION

Bonds maturing in the year \_\_\_\_ are subject to mandatory prior redemption at par and accrued interest as follows:

<u>Redemption Date</u>	<u>Principal Amount of Bonds to be Redeemed</u>
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Bonds or portions of bonds to be redeemed by mandatory redemption shall be selected by lot.

(REPEAT IF MORE THAN ONE TERM BOND)

#### OPTIONAL PRIOR REDEMPTION

Bonds maturing prior to \_\_\_\_\_, \_\_\_\_\_, are not subject to redemption prior to maturity. Bonds maturing on and after \_\_\_\_\_, \_\_\_\_\_, are subject to redemption prior to maturity at the option of the City, in such order as shall be determined by the City, on any one or more interest payment dates on and after \_\_\_\_\_, \_\_\_\_\_. Bonds of a denomination greater than \$5,000 may be partially redeemed in the amount of \$5,000 or any integral multiple thereof. If less than all of the bonds maturing in any year are to be redeemed, the bonds or portions of bonds to be redeemed shall be selected by lot. The redemption price shall be the par value of the bond or portion of the bond called to be redeemed plus interest to the date fixed for redemption.

Not less than thirty but not more than sixty days' notice of redemption shall be given to the Registered Owner of bonds called to be redeemed by mail to each Registered Owner at the registered address. Bonds or portions of bonds called for redemption shall not bear interest on and after the date fixed for redemption, provided funds are on hand with the bond registrar and paying agent to redeem the same.

It is hereby certified, recited and declared that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of the bonds of this series, existed, have happened and have been performed in due time, form and manner as required by law, and that the total indebtedness of the City, including the series of bonds of which this bond is one, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the City of Troy, State of Michigan, by its City Council, has caused this bond to be executed in its name by the manual or facsimile signatures of the Mayor and the City Clerk and its corporate seal (or a facsimile thereof) to be impressed or imprinted thereon. This bond shall not be valid unless the Certificate of Authentication has been manually executed by an authorized representative of the bond registrar and paying agent.

CITY OF TROY

(SEAL)

By: \_\_\_\_\_ By: \_\_\_\_\_  
City Clerk Mayor

**CERTIFICATE OF AUTHENTICATION**

This bond is one of the bonds described in the within mentioned Resolution.

\_\_\_\_\_  
Bond Registrar and Paying Agent

By: \_\_\_\_\_  
Authorized Representative

AUTHENTICATION DATE:

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto \_\_\_\_\_  
(please print or type name, address and taxpayer identification number of transferee) the within  
bond and all rights thereunder and hereby irrevocably constitutes and appoints  
\_\_\_\_\_  
attorney to transfer the within bond on the books kept for registration thereof, with full power of  
substitution in the premises.

Dated: \_\_\_\_\_

Signature Guaranteed: \_\_\_\_\_

Signature(s) must be guaranteed by an eligible guarantor institution participating in a  
Securities Transfer Association recognized signature guarantee program.

END OF 2020 BOND FORM

10. SECURITY. The Tax Increment Revenues and other revenue received by the DDA under Section 211 of Act 57 (the recodification of Section 11 of Act 197) are pledged for the payment of the principal of and interest on the 2020 Bonds. The 2020 Bonds shall also be limited tax general obligations of the City, and the full faith and credit of the City are pledged for the prompt payment of the principal of and interest on the 2020 Bonds as the same shall become due. Each year the City shall be obligated, as a first budget obligation, to advance moneys from its general funds or to levy ad valorem property taxes on all taxable property within its corporate boundaries to pay such principal and interest as the same become due in the event and to the extent that the Tax Increment Revenues and other revenue to be available to the DDA under Section 211 of Act 57 are not sufficient to make such payment. The ability of the City to raise funds to pay such amounts is subject to applicable constitutional, statutory and charter limitations on the taxing power of the City.

11. DEFEASANCE. In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay, at maturity or irrevocable call for earlier optional redemption, the principal of, premium, if any, and interest on the 2020 Bonds, shall have been deposited in trust, this resolution shall be defeased and the owners of the 2020 Bonds shall have no further rights under this resolution except to receive payment of the principal of, premium, if any, and interest on the 2020 Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange 2020 Bonds as provided herein.

12. PRINCIPAL AND INTEREST FUND. There is hereby established for the 2020 Bonds a Principal and Interest Fund that shall be either a separate fund or part of a common fund as permitted by law. From the proceeds of the sale of the 2020 Bonds, there shall be set aside in the Principal and Interest Fund any accrued interest received from the purchaser at the time of

delivery of the same. The Tax Increment Revenues and other revenue available to the DDA under Section 211 of Act 57 and other available moneys of the City, if any, to be used to pay the payment of the principal of and interest on the 2020 Bonds shall be deposited in the Principal and Interest Fund and so long as the principal or interest on the 2020 Bonds remain unpaid, no moneys shall be withdrawn from such fund except to pay such principal and interest or to pay from any investment earnings on such fund the fees and expenses of the bond registrar and paying agent.

13. PAYMENT OF COSTS OF ISSUANCE -- ESCROW FUND. The remainder of the proceeds of the 2020 Bonds shall be used, together with available moneys of the DDA in the amount of not less than \$3,212,400, to pay the costs of issuance of the 2020 Bonds and to refund the 2013 Bonds To Be Refunded. After the costs of issuance have been paid or provided for, the remaining proceeds and available DDA moneys, in an amount determined by the City Manager at the time of sale of the 2020 Bonds, shall be used to establish an escrow fund (the "Escrow Fund") consisting of cash and investments in direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America or other obligations the principal of and interest on which are fully secured by the foregoing and used to pay the principal of and interest on the 2013 Bonds To Be Refunded. The Escrow Fund shall be held by an escrow agent (the "Escrow Agent") pursuant to an Escrow Agreement (the "Escrow Agreement"), which irrevocably shall direct the Escrow Agent to take all necessary steps to pay the principal of and interest on the 2013 Bonds To Be Refunded when due and to call the 2013 Bonds To Be Refunded for redemption at such time as shall be determined in the Escrow Agreement. The City Manager is authorized to select the Escrow Agent and enter into the Escrow Agreement on behalf of the City. The amounts held in the Escrow Fund shall be such that the cash and the investments and the income received on the investments will be sufficient without

reinvestment to pay the principal of and interest on the 2013 Bonds To Be Refunded when due at maturity or call for redemption as required by the Escrow Agreement.

14. APPROVAL OF DEPARTMENT OF TREASURY. The issuance and sale of the 2020 Bonds shall be subject to permission being granted therefor by the Department of Treasury of the State of Michigan as provided in Act 34. If necessary, the City Manager is authorized to file an application with the Department of Treasury for approval of the 2020 Bonds.

15. SALE, ISSUANCE, DELIVERY, TRANSFER AND EXCHANGE OF 2020 BONDS. The 2020 Bonds shall be sold pursuant to a negotiated sale as hereinafter provided, and it is hereby determined that such negotiated sale is in the best interests of the City and is calculated to provide the maximum flexibility in pricing the 2020 Bonds and to result in the lowest interest cost to the City. The City Manager is authorized to enter into a Bond Purchase Agreement with the Underwriter, which Bond Purchase Agreement shall set forth the principal amount of the 2020 Bonds, principal maturities and dates, interest rates and interest payment dates, redemption provisions, if any, purchase price to be paid by the Underwriter with respect to the 2020 Bonds and such other terms and provisions as the City Manager determines to be necessary or appropriate in connection with the sale of the 2020 Bonds. The Bond Purchase Agreement and the terms of the 2020 Bonds set forth therein shall be approved by an order adopted by the City Manager at the time of the sale of the 2020 Bonds. The Mayor, the City Clerk, the City Manager and the City Treasurer are each hereby authorized to do all things necessary to effectuate the sale, issuance, delivery, transfer and exchange of the 2020 Bonds in accordance with the provisions of this resolution. In making the determination in the order authorizing the sale of the 2020 Bonds and in the Bond Purchase Agreement with respect to principal maturities and dates, interest rates, purchase price of the 2020 Bonds and compensation to be paid to the Underwriter, the City Manager shall be limited as follows:

- (a) The interest rate on any 2020 Bond shall not exceed 5.00% per annum.

(b) The final maturity date of the 2020 Bonds shall not be later than November 1, 2033.

(c) The purchase price of the 2020 Bonds shall not be less than 99.00% of the principal amount thereof.

(d) The Underwriter's discount with respect to the 2020 Bonds or the compensation to be paid to the Underwriter shall not exceed 1.00% of the principal amount of the 2020 Bonds.

16. REPLACEMENT OF 2020 BONDS. Upon receipt by the City Clerk of proof of ownership of an unmatured 2020 Bond, of satisfactory evidence that the 2020 Bond has been lost, apparently destroyed or wrongfully taken and of security or indemnity that complies with applicable law and is satisfactory to the City Clerk, the City Clerk may authorize the bond registrar and paying agent to deliver a new executed 2020 Bond to replace the 2020 Bond lost, apparently destroyed or wrongfully taken in compliance with applicable law. In the event an outstanding matured 2020 Bond is lost, apparently destroyed or wrongfully taken, the City Clerk may authorize the bond registrar and paying agent to pay the 2020 Bond without presentation upon the receipt of the same documentation required for the delivery of a replacement 2020 Bond. The bond registrar and paying agent, for each new 2020 Bond delivered or paid without presentation as provided above, shall require the payment of expenses, including counsel fees, which may be incurred by the bond registrar and paying agent and the City in the premises. Any 2020 Bond delivered pursuant to the provisions of this Section 16 in lieu of any 2020 Bond lost, apparently destroyed or wrongfully taken shall be of the same form and tenor and be secured in the same manner as the 2020 Bond in substitution for which such 2020 Bond was delivered.

17. OFFICIAL STATEMENT. The City Manager is authorized to cause the preparation of an official statement for the 2020 Bonds for purposes of enabling compliance with Rule 15c2-12 issued under the Securities Exchange Act of 1934, as amended (the "Rule") and to do all other things necessary to enable compliance with the Rule. After the award of the 2020 Bonds, the City will provide copies of a "final official statement" (as defined in paragraph (e)(3) of the Rule)

on a timely basis and in reasonable quantity as requested by the Underwriter to enable the Underwriter to comply with paragraph (b)(4) of the Rule and the rules of the Municipal Securities Rulemaking Board.

18. CONTINUING DISCLOSURE. The Mayor and the City Clerk are authorized to execute and deliver in the name and on behalf of the City a continuing disclosure certificate to comply with the requirements for a continuing disclosure undertaking of the City pursuant to paragraph (b)(5) of the Rule, and amendments to such certificate from time to time in accordance with the terms of such certificate (the certificate and any amendments thereto are collectively referred to herein as the "Continuing Disclosure Certificate"). The City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate.

19. PROFESSIONAL SERVICES. The following are appointed to act in the following capacities with respect to the 2020 Bonds:

As registered municipal advisor: Bendzinski & Co., Municipal Finance Advisors  
Grosse Pointe, Michigan

As Underwriter: Huntington Securities, Inc.  
Southfield, Michigan

As bond counsel: Dickinson Wright PLLC  
Troy, Michigan

20. CONFLICTING RESOLUTIONS. All resolutions and parts of resolutions insofar as they may be in conflict herewith are rescinded.

RESOLUTION DECLARED ADOPTED.

YEAS: \_\_\_\_\_

\_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTENTIONS: \_\_\_\_\_

STATE OF MICHIGAN     )  
  )ss  
COUNTY OF OAKLAND    )

I hereby certify that the foregoing is a true and complete copy of a resolution duly adopted at a regular meeting of the City Council of the City of Troy, Oakland County, Michigan, held on September 21, 2020, the original of which resolution is on file in my office. I further certify that notice of said meeting was given in accordance with the provisions of the Open Meetings Act, Act 267 of the Public Acts of Michigan of 1976, as amended, and the Governor's Executive Order No. 2020-154, as the same has been or may be amended, supplemented, replaced or otherwise made to remain effective from time to time.

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M. Aileen Dickson, MMC, MiPMC II  
Troy City Clerk

Yes:     All-7  
No:      None

## MOTION CARRIED

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**I-5     Budget Amendment and Standard Purchasing Resolution 4: Oakland County Purchasing Cooperative – Raptor House Exhibit Construction at the Stage Nature Center (*Introduced by: Kurt Bovensiep, Public Works Director*)**

Resolution #2020-09-135  
Moved by Chamberlain-Creangă  
Seconded by Hamilton

RESOLVED, That, in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **AWARDS** a contract to *National Restoration of Milford, MI*, for the Raptor House Exhibit Construction at the Stage Nature Center for a not to exceed total amount of \$130,000 as detailed in the proposal, a copy of which shall be **ATTACHED** to the original Minutes of the meeting, and as per the Oakland County Purchasing Cooperative Contract #005106 with a \$15,000 contingency for a grand total of \$145,000.

BE IT FINALLY RESOLVED, That Troy City Council hereby **APPROVES** amending the budget for the Capital account in the amount of \$20,000.

Yes: All-7  
No: None

**MOTION CARRIED**

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**I-6 Troy Family Aquatic Center (*Introduced by: Robert J. Bruner, Assistant City Manager*)**

Resolution #2020-09-136  
Moved by Baker  
Seconded by Hodorek

RESOLVED, That Troy City Council hereby **DIRECTS** City staff to proceed with the pool repairs contract awarded on February 10, 2020 (Resolution #2020-02-038).

Yes: All-7  
No: None

**MOTION CARRIED**

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**I-7 Temporary Enclosures – A Resolution to Permit Temporary Enclosures to Expand Seating Capacity During COVID-19 (*Introduced by: Brent Savidant, Community Development Director*)**

Resolution #2020-09-137  
Moved by Brooks  
Seconded by Hamilton

WHEREAS, The City of Troy, Michigan, has an ordinance that regulates temporary buildings, structures and uses in the City of Troy; and,

WHEREAS, The ordinance that regulates temporary buildings, structures and uses is Chapter 39 Zoning Ordinance in the City of Troy Code of Ordinances; and,

WHEREAS, The intent of Chapter 39 is to regulate temporary buildings, structures and uses in the City for many reasons including but not limited to public safety, community character and maintaining property values; and,

WHEREAS, Provisions in Chapter 39 that regulate temporary buildings, structures and uses in the City are restrictive in many ways including hours of operation and duration and the requirement that temporary enclosures are permitted during periods of construction or for special events; and,

WHEREAS, The coronavirus (COVID-19) is a respiratory disease that can result in serious illness and death. It is caused by a new strain of coronavirus not previously identified in humans and easily spread from person to person. There is currently no approved vaccine or antiviral treatment for this disease; and,

WHEREAS, To protect Michigan residents from the coronavirus, the Governor of the State of Michigan issued numerous Executive Orders which negatively impacted businesses in the City of Troy; and,

WHEREAS, The City recognizes many of the challenges faced by Troy businesses as a result of Executive Orders, including reduced building capacity and limitations on gathering size; and,

WHEREAS, Numerous restaurant owners have reached out to City Council and City Administration, asking for assistance in keeping their businesses open during the coronavirus pandemic; and,

WHEREAS, The Troy City Council desires to assist local businesses to generate revenue, attract patrons and stay competitive in spite of reduced building capacity and limitations on gathering size; and,

WHEREAS, Many businesses in the City of Troy have outdoor patio space that is potentially convertible to indoor usable area via the construction of temporary enclosures; and,

WHEREAS, Temporary enclosures would have the effect of increasing seating capacity and revenue for Troy businesses during fall, winter and spring months;

NOW, THEREFORE, BE IT RESOLVED, City Council hereby **DIRECTS** City Administration to **NOT ENFORCE** provisions of Sections 7.13 and 7.14 of Chapter 39, specifically related to hours of operation and duration for temporary enclosures and the requirement that temporary enclosures are permitted during periods of construction or for special events, during the declared emergency.

BE IT FURTHER RESOLVED, Said temporary enclosures shall **REQUIRE** submittal and approval of a **COMPLETE** Temporary Building, Structure, Use and Outdoor Special Event Application and fee to the City of Troy Planning Department.

BE IT FURTHER RESOLVED, This option is available **ONLY** to businesses that have been affected by occupancy reduction associated with the coronavirus (COVID-19).

BE IT FURTHER RESOLVED, All temporary enclosures are **REQUIRED** to adhere to the Building Code and Fire Code and other laws related to public health, safety and welfare.

BE IT FURTHER RESOLVED, This resolution **DOES NOT MODIFY OR IMPACT** any private contractual agreements nor will the City be enforcing any private contractual rights.

BE IT FURTHER RESOLVED, City Administration **MAY INSPECT** temporary enclosures from time to time to ensure they are not a hazard or in violation of laws or regulations.

BE IT FINALLY RESOLVED, That Troy City Council hereby **DIRECTS** City Administration to initiate a process to inform Troy business owners of this temporary enclosure option.

Yes: All-7  
No: None

**MOTION CARRIED**

**J. CONSENT AGENDA:**

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

Resolution #2020-09-138-J-1a

Moved by Hodorek

Seconded by Abraham

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

Yes: All-7

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 #2020-08-138-J-2a

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

- a) City Council Minutes-Draft – September 14, 2020
- 

**J-3 Proposed City of Troy Proclamations:**

Resolution #2020-09-138-J-3

- a) Proclamation for Metastatic Breast Cancer Awareness Month Day – October 13, 2020, and Breast Cancer Awareness Month – October, 2020
- 

**J-4 Standard Purchasing Resolutions:**

- a) **Standard Purchasing Resolution 2: Sole Bidder Meeting Specifications – TriCaster Equipment – Community Affairs Department**

Resolution #2020-09-138-J-4a

RESOLVED, That Troy City Council hereby **AWARDS** a contract to furnish all equipment, material and labor to install TriCaster equipment for the City of Troy to the sole bidder, meeting all bid specifications; *Advanced Lighting and Sound of Troy, MI*, for an estimated total cost of \$26,399, at prices contained in the bid tabulation opened September 10, 2020, a copy of which shall be **ATTACHED** to the original Minutes of the meeting.

BE IT FINALLY 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.

**b) Standard Purchasing Resolution 2: Award to Sole Bidder Meeting Specifications – Department of Public Works Window Replacement – Parks Maintenance Garage and Main Facility**

Resolution #2020-09-138-J-4b

RESOLVED, That Troy City Council hereby **AWARDS** a contract for replacement windows at the Department of Public Works Parks Maintenance Garage and Main Facility; as per bid specifications to the sole bidder meeting specifications, *H&H Glass & Metal, Inc. of Detroit, MI*, for an estimated total cost of \$48,906 at unit prices contained in the bid tabulation opened September 3, 2020; a copy of which shall be **ATTACHED** to the original Minutes of the meeting, with a 10% contingency of \$4,900 for an estimated grand total amount of \$53,806 not to exceed budgetary limitations.

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.

**c) Standard Purchasing Resolution 2: Award to Low Bidder Meeting Specifications – Department of Public Works Fleet Garage Unit Heater Replacement**

Resolution #2020-09-138-J-4c

RESOLVED, That Troy City Council hereby **AWARDS** a contract for the purchase of replacement unit heaters for the Fleet Garage located at the Department of Public Works; as per bid specifications to the low bidder meeting specifications, *The Macomb Group of Sterling Heights MI*, for an estimated total cost of \$45,255 at unit prices contained in the bid tabulation opened September 10, 2020; a copy of which shall be **ATTACHED** to the original Minutes of the 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.

**d) Standard Purchasing Resolution 2: Award to Low Bidder Meeting Specifications – Department of Public Works Gas Detection System**

Resolution #2020-09-138-J-4d

RESOLVED, That Troy City Council hereby **AWARDS** a contract for the purchase and installation of a Gas Detection System located at the Department of Public Works; as per bid specifications to the low bidder meeting specifications; *Ino-Tec, Inc. of Ray, MI* for an estimated cost of \$64,927 at prices contained in the bid tabulation opened September 10, 2020; a copy of which shall be **ATTACHED** to the original Minutes of the meeting, with a 15% contingency of \$9,740 for an estimated grand total amount of \$74,667 not to exceed budgetary limitations.

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.

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**J-5 Request for Acceptance of a Regrading and Temporary Construction Permit and Compensation Authorization – Big Beaver Relief Sewer Project #17.402.5**

Resolution #2020-09-138-J-5

RESOLVED, That City Council hereby **ACCEPTS** a Regrading and Temporary Construction Permit from The Chaldean Catholic Church of the United States of America, owner of the properties having Sidwell #88-20-25-126-024 & 015.

BE IT FURTHER RESOLVED, That City Councils **AUTHORIZES** payment in the amount of \$14,000.00 for the temporary permit.

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**J-6 Bid Waiver – Grounds Maintenance Equipment**

Resolution #2020-09-138-J-6

RESOLVED, That, in the best interest of the City, Troy City Council hereby **WAIVES** the formal bidding procedures and **AWARDS** a contract to *Spartan Distributors of Sparta, MI* for the purchase of four (4) pieces of Grounds Maintenance equipment for an estimated total cost of \$108,839.62; less a total trade-in amount of \$750.00 for a total estimated cost of \$108,089.62.

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**K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:**

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**K-1 Announcement of Public Hearings: None Submitted**

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**K-2 Memorandums (Items submitted to City Council that may require consideration at some future point in time): None Submitted**

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

**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

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**N-1 No Council Referrals**

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**O. REPORTS:**

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

- a) Civil Service Commission (Act 78)-Final – July 14, 2020  
Noted and Filed

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**O-2 Department Reports:**

- a) Late Tax Payments  
b) Speed Humps  
c) Oakland County Parks and Recreation Millage  
d) Library Millage Community Engagement Plan Update  
e) Welcoming America Membership  
Noted and Filed

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

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

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**P. COUNCIL COMMENTS:**

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**P-1 Council Comments**

Council Member Chamberlain-Creangă thanked Administration for the Oakland County Parks and Recreation Millage Report, and she commented that the millage would provide grant money for our trails and pathways.

Council Member Chamberlain-Creangă commented that the Welcoming America hasn't been renewed since 2017. She would like to receive consensus from City Council to renew the membership at some level.

Mayor Baker seconded obtaining consensus from City Council to look into membership and leverage a relationship with our committee and our new liaison.

Council Member Chamberlain-Creangă commented that there is a local representative from the Welcoming Michigan Chapter who can help.

Mayor Baker obtained consensus from City Council to direct City Management to look into the Welcoming America membership.

Mayor Pro Tem Hamilton commented on speed humps and he would like to have a policy to bring these to Troy for traffic safety. He would like to obtain consensus from City Council to ask for more information from City Management.

City Manager Miller commented that the City Engineer can develop an outline of a program for City Council to consider, along with costs.

Mayor Pro Tem Hamilton commented if the Traffic Committee would be involved also.

Council Member Chamberlain-Creangă commented that her neighbors would like a study to see if speed humps would help control traffic in areas.

City Manager Miller said that it is important to develop a program, and he will have the City Engineer bring the latest info about this subject for City Council to review.

Council Member Hodorek commented that there used to be a dedicated City Traffic Engineer. She said there is a need to have a speed hump program and there's also the sound barrier issue on I-75.

City Manager Miller said the City has a contract with an engineering firm who also works on traffic. He said we do not have control over issues with I-75. Mayor Baker obtained consensus from City Council to look into developing a program regarding speed humps.

Mayor Pro Tem Hamilton commented that the City Clerk's Office is providing many options for voters to get their ballots. He said they are having a drive-thru ballot pick-up event on Saturday, September 26<sup>th</sup>, and Sunday, September 27<sup>th</sup>, from Noon–4:00 PM.

Council Member Erickson Gault commented on the retirement of Police Officer Sean Morse. She said he was hard working and well respected in Troy. She thanked the Troy Police Department, Chief Nastasi, and all of the officers.

Council Member Chamberlain-Creangă commented that the Global Troy Advisory Committee was very appreciative of the Welcoming Week proclamation. She also thanked City Administration for the proclamation for Childhood Cancer Month.

Mayor Baker thanked the residents who commented on the Troy Family Aquatic Center. He also thanked the healthcare heroes, frontline responders and frontline workers working so hard during the pandemic.

## **Q. CLOSED SESSION**

**Q-1 No Closed Session Requested**

## **R. ADJOURNMENT:**

The Meeting **ADJOURNED** at 11:02 PM.

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Mayor Ethan Baker

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M. Aileen Dickson, MMC, MiPMC II  
City Clerk

**2020 SCHEDULED SPECIAL CITY COUNCIL MEETINGS:****2020 SCHEDULED REGULAR CITY COUNCIL MEETINGS:**

October 12, 2020.....	Regular Meeting
October 26, 2020.....	Regular Meeting
November 9, 2020.....	Regular Meeting
November 23, 2020.....	Regular Meeting
December 7, 2020.....	Regular Meeting
December 14, 2020.....	Regular Meeting