

A. CALL TO ORDER:

A Regular Meeting of the Troy City Council was held electronically on Monday, January 11, 2021. Mayor Baker called the meeting to order at 7:30 PM.

B. ROLL CALL:

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

Update to Resolution Allowing for Electronic Meetings

Resolution #2021-01-001

Moved by Baker

Seconded by Abraham

RESOLVED, That Troy City Council **REAFFIRMS** its resolutions to Amend the Council Rules of Procedure (Resolutions 2020-04-054 and 2020-10-147), retroactive to March 18, 2020, and as allowed by Council Rules of Procedure Rule 21, the Troy City Council hereby **ALLOWS** all Troy City Council Members to electronically participate in any Council meeting consistent with Public Act 254 of 2020 until March 31, 2021, since in-person meetings could detrimentally increase exposure of City Council members and the general public to COVID-19, and would also be difficult to facilitate in light of recent epidemic orders designed to protect public health and safety. During any such virtual or electronic meeting, Council Members shall not use email, texting, instant messaging, or any other internet communication during the meeting.

Additionally, as allowed by Council Rules of Procedure 18, the Troy City Council hereby **AMENDS** the Rules of Procedure for any virtual or electronic meeting to modify the Order of the Agenda, as set forth in Rule 5b, to consolidate the Public Comment sections of the meeting, and **AMENDS** Council Rule of Procedure 15 to provide for two methods for receiving Public Comment for virtual meetings. For virtual or electronic Troy City Council meetings, public comments can be submitted for the City Council meeting through email sent to: Public Comment@TroyMI.Gov, and timely emails will be administratively read at the City Council meeting. Public comments can also be submitted by calling and leaving a voicemail on the following phone number: 248-524-3302. Voicemails received prior to 4 pm on the day of a City Council meeting will be played at the meeting, in compliance with the Rules of Procedure.

Yes: All-7

No: None

MOTION CARRIED

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:**C-1 No Certificates of Recognition and Special Presentations****D. CARRYOVER ITEMS:****D-1 No Carryover Items****E. PUBLIC HEARINGS:****E-1 No Public Hearings****F. PUBLIC COMMENT FOR ITEMS ON THE AGENDA:**

James Hamilton	Commented on sump pump drainage causing ice buildup on sidewalk
Chuck Shepherd	Commented requesting a review of the criminal code
Connor Healey	Commented on violations and enforcement of the mask mandate
State Rep. Padma Kuppa	Provided a legislative update

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

City Manager Miller commented that the sump pump issue is an investigation and Code Enforcement will follow through on the issue.

City Manager Miller commented that the Police Department enforces the mask mandate and coordinates with the businesses and retailers to encourage people to wear masks. He said any specific issues and problems should be referred to the City Manager's Office for closer attention, if needed. Mayor Baker added that Somerset Mall has masks readily available for the public and provides masks to the retailers.

City Attorney Bluhm commented that they are aware there are some crimes in the disorderly conduct chapter that need to be reviewed. She commented that she cannot remember the last time where someone has been charged with that type of crime.

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 – None****a) Mayoral Appointments:**

Resolution #2021-01-002

Moved by Baker

Seconded by Chamberlain-Creangă

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

Nominations to the Global Troy Advisory Committee:

**Unexpired Term Expiring:
10/30/2022**

Kaitlyn Hao

Term currently held by: Vacancy–Emily Collins Nacy resigned
9/27/2020

Yes: All-7
No: None

MOTION CARRIED

b) **City Council Appointments:** None

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

a) **Mayoral Nominations:** None

b) **City Council Nominations:**

Establishment of Historic District Study Committee

Resolution #2021-01-003
Moved by Brooks
Seconded by Chamberlain-Creangă

WHEREAS, The Planning Department received a request from a resident to de-list a historic property; and,

WHEREAS, Chapter 13 Historic Preservation requires City Council to establish and appoint an ad-hoc Historic District Study Committee to process applications to de-list historic properties;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **ESTABLISHES** an ad-hoc Historic District Study Committee of not less than three (3) members, in accordance with the provisions of Chapter 13 of the Troy City Code and MCL 399.214(1), which shall be **DISSOLVED** after all pending applications are finalized.

Yes: All-7
No: None

MOTION CARRIED

City Council Nominations

Resolution #2021-01-004
Moved by Brooks
Seconded by Hamilton

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:

Historic District Study Committee

Appointed by Council
3 Members
Ad Hoc

Nominations to the Historic District Study Committee:

Term Expires: Ad-Hoc

Barbara Chambers

Term Expires: Ad-Hoc

Timothy McGee

Term Expires: Ad-Hoc

W. Kent Voigt

Yes: All-7
No: None

MOTION CARRIED

Resolution #2021-01-005
Moved by Brooks
Seconded by Erickson Gault

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 Board Member: 1 Year Term

Nominations to the Parks and Recreation Board:

Term Expires: 7/31/2021

Tim Fulcher

**Troy School Board
of Education Rep.**

Term currently held by: Tim Fulcher

Term Expires: 9/30/2021

John Chuck Shepherd

Term currently held by: Vacancy- Laurie Huber resigned
12/5/2020

Yes: All-7
No: None

MOTION CARRIED

I-3 No Closed Session Requested

I-4 Confirmation of Appointment of Richard C. Riesterer for Fire Chief (*Introduced by: Mark F. Miller, City Manager*)

Resolution #2021-01-006
Moved by Erickson Gault
Seconded by Hodorek

WHEREAS, The City Manager has the authority to appoint the Fire Chief with confirmation by the City Council Under Section 3.9 of the City Charter; and,

WHEREAS, The ACT 78 Board met on December 29, 2020 and certified the eligibility of Assistant Fire Chief Richard C. Riesterer to Fire Chief;

THEREFORE, BE IT RESOLVED, That Troy City Council **CONFIRMS** the City Manager's Appointment of Richard C. Riesterer as Fire Chief effective as of February 5, 2021.

Yes: All-7
No: None

MOTION CARRIED

I-5 Standard Purchasing Resolution 1: Award to Low Bidder – Contract 20-03 – Big Beaver Relief Sanitary Sewer and Budget Amendment (*Introduced by: William Huotari, City Engineer*)

Resolution #2021-01-007
Moved by Abraham
Seconded by Erickson Gault

RESOLVED, That Troy City Council hereby **AWARDS** Contract No. 20-03, Big Beaver Relief Sanitary Sewer contract to *Pamar Enterprises, Inc., 31604 Pamar Court, New Haven, MI 48048*, for their low bid of \$6,012,822.47.

BE IT FURTHER RESOLVED, That the award is **CONTINGENT** upon submission of proper contract and bid documents, including bonds, insurance certificates and all specified requirements, and if additional work is required such additional work is **AUTHORIZED** in an amount not to exceed 15% of the total project cost.

BE IT FINALLY RESOLVED, That City Council **APPROVES** a budget amendment to the 2021 Sewer Fund in the amount of \$3,500,000 for the Big Beaver Relief Sanitary Sewer, Project No. 2021C0069 (Account No. 590.527.535.7973.174025).

Yes: All-7
No: None

MOTION CARRIED

J. CONSENT AGENDA:

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

Resolution #2021-01-008-J-1a
Moved by Abraham
Seconded by Erickson Gault

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

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 #2021-01-008-J-2

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

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

J-3 Proposed City of Troy Proclamations:

Resolution #2021-01-008-J-3

- a) Proclamation to Recognize Celebration of “Yoga for Health, Health for Humanity Surya Namaskar Yajna 2021” – January 16-31, 2021
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J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 2: Award to Low Bidders Meeting Specifications - Asphalt Paving Materials - Hot Patch**

Resolution #2021-01-008-J-4a

RESOLVED, That Troy City Council hereby **AWARDS** a one (1) year contract to provide Asphalt Paving Materials – Hot Patch with an option to renew for one (1) additional year to the lowest bidder(s) by line item to *Cadillac Asphalt of Shelby Township, MI*, as the primary supplier for items #1, #2, #3, #4, #5, #6, #7, #8, and #11 at unit prices contained in the bid tabulation opened December 17, 2020, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; to be ordered on an as needed basis and based on proximity; contracts expiring December 31, 2022.

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the City to use secondary suppliers, *Ajax Materials Corporation of Troy, MI* for items #1, #2, #3, #4, #5, #6, #7, #8, and #11 in the event that the primary supplier is unable to provided materials as specified under the same pricing, terms and conditions as originally bid; to be ordered on an as needed basis and based on proximity.

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

- b) **Standard Purchasing Resolution 4: Cooperative Purchasing Contract – Play Structure Replacement - Jaycee Park**

Resolution #2021-01-008-J-4b

RESOLVED, That, in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **AWARDS** a contract for the Jaycee Park Play Structure Replacement to *Miracle Midwest of Holly, MI*, based on quote #12072020kja; a copy of which shall be **ATTACHED** to the original Minutes of this meeting, as per the Sourcwell Cooperative Purchasing Contract #030117-LTS for an estimated cost of \$137,152; with a 10% contingency and not to exceed budgetary limitations.

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

J-5 Barnwell v. City of Troy

The complete Agenda Item is available at: <https://apps.troymi.gov/meetings/currentagenda>

Resolution #2021-01-008-J-5

RESOLVED, That Troy City Council hereby **APPROVES** the proposed settlement agreement in the matter of Barnwell v. City of Troy, including any minor modifications that may be needed to effectuate the settlement, as long as the monetary settlement amount of \$34,333 is not changed, and the agreed to amount for future improvements remains at \$17,348, and **AUTHORIZES** the City Manager and City Attorney to execute the documents on behalf of the City.

J-6 2021 Poverty Exemption Guidelines

Resolution #2021-01-008-J-6

RESOLVED, That, pursuant to MCL 211.7u, the City Council of the City of Troy hereby **APPROVES** the proposed "Poverty Exemption Guidelines" for 2021, as presented by the City Assessor in a memorandum dated January 11, 2021, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-7 Request for Acceptance of Two Permanent Easements from Harbinder Barring and Garima Kuman, Sidwell #88-20-22-354-027

Resolution #2021-01-008-J-7

RESOLVED, That Troy City Council hereby **ACCEPTS** two permanent easements for storm sewers and surface drainage, and sidewalks from Harbinder Barring and Garima Kuman, owners of the property having Sidwell #88-20-22-354-027.

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

J-8 Request for Acceptance of Two Permanent Easements from Pavilion Homes, Sidwell #88-20-22-354-026

Resolution #2021-01-008-J-8

RESOLVED, That Troy City Council hereby **ACCEPTS** two permanent easements for storm sewers and surface drainage, and sidewalks from Pavilion Homes, owner of the properties having Sidwell #88-20-22-354-026.

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

J-9 Request for Acceptance of a Permanent Easement from Enkel Muci, Sidwell #88-20-27-430-024

Resolution #2021-01-008-J-9

RESOLVED, That Troy City Council hereby **ACCEPTS** a permanent easement for storm sewers and surface drainage from Enkel Muci, owner of the property having Sidwell #88-20-27-430-024.

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 for Acceptance of a Warranty Deed from Eureka Building Co., Sidwell #88-20-10-426-029 and -031

Resolution #2021-01-008-J-10

RESOLVED, That Troy City Council hereby **ACCEPTS** a warranty deed for Rochester Road right-of-way from Eureka Building Co., owner of the parcels identified with Sidwell #88-20-10-426-029 & -031.

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

J-11 The United States Conference of Mayors 2021 Membership Dues

Resolution #2021-01-008-J-11

RESOLVED, That approval is **GRANTED** to pay membership dues to the United States Conference of Mayors in the amount of \$5,269.00, which covers the time period of January 1, 2021 to December, 2021.

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings: None Submitted

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

L. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:

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

Mayor Pro Tem Brooks commented that she received both doses of the COVID vaccine. She said Michigan is entering the next phase 1b of the vaccine distribution. She commented that a vaccine coordinator at Troy Beaumont said the rollout is slow, but they are excited to get the vaccines out to residents as quickly as possible and asked for everyone's patience during this process.

Mayor Baker thanked State Representative Padma Kuppa for the legislative update.

Council Member Hodorek commented on positive feedback for the Best Decorated Homes and tour map. She also asked residents to be neighborly by keeping up with masking and for their patience during the vaccine rollout process. Lastly, she thanked City Council and City Administration for working together despite differences and setting an example without being divided.

Council Member Chamberlain-Creangă commented that her husband recently became a US Citizen and the recent events at the US Capital building make it even more poignant. She encourages everyone to work across differences during this difficult time in our nation. She also commented on the beloved community spoken by Martin Luther King Jr. as we honor him on January 18th.

Council Member Chamberlain-Creangă commented that ice on the trails at Stage Nature Center is worsening and she asked if City Management can help with this problem. City Manager Miller commented that Public Works Director Bovensiep is arranging for additional sand to be delivered to the Stage Nature Center for the trails.

Council Member Hamilton commented that there is a Special City Council Meeting on February 1st to discuss the Code of Ethics. He commented that they will also be scheduling Joint Meetings with the Downtown Development Authority soon.

Council Member Hamilton asked about the status of the diverging diamond on 14 Mile Road. City Engineer Huotari commented that the diverging diamond on 14 Mile Road will not open until mid to late spring. He commented that the diverging diamond on Big Beaver will be open later this winter.

Mayor Baker asked for an update on the sound barriers along I-75. City Manager Miller commented that State Representative Kuppia is working with Senator McMorrow at the state level. City Engineer Huotari said the City has no jurisdiction over MDOT right-of-way and that the state must follow strict federal guidelines, so it is currently in the hands of our elected leaders. He said they will continue discussions with MDOT and help however they can, but there is not a lot that can be done at the city level. Mayor Baker said the City can support residents by speaking out. He commented that State Representative Kuppia and Senator McMorrow are working to lobby on Troy's behalf.

Council Member Erickson Gault commented that there is a lot of buzz with work at Jaycee Park for the expansion of the trails and pathways. She commented that there were some concerns with tree removal, and she commented that tree removal was minimal at Sylvan Glen Lake Park and the path is appreciated by our residents. Council Member Erickson Gault encouraged residents to refer to the Parks and Recreation Master Plan for information about the trails and pathways program and other priorities for the parks.

Public Works Director Bovensiep explained that City Council approved the engineering development of a conceptual design for the trails and pathways at Jaycee Park. He said they mailed notices to the abutting residents to the trails, and they will open the community engagement once the concept is solidified by engineering.

Mayor Baker asked City Administration for the process for other Joint Meetings with other boards and committees. City Manager Miller said they are working on a plan and will get back with City Council to schedule meeting dates.

Mayor Baker thanked City Administration for working on the ice on the trails at the Stage Nature Center. He also thanked Code Enforcement for investigating the ice issues on the sidewalks.

Mayor Baker commented that there is a Planning Commission meeting on Tuesday, January 12th, and a Global Troy Advisory Committee meeting on Wednesday, January 13th, and information is available on the City website.

Mayor Baker said he made a statement regarding the recent events in our nation and it is available on his Facebook, Instagram and Twitter accounts.

Mayor Baker thanked the healthcare heroes and frontline and first responders.

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. REPORTS:

O-1 Minutes – Boards and Committees:

- a) Civil Service Commission (Act 78)-Final – November 13, 2020
 - b) Civil Service Commission (Act 78)-Draft – December 29, 2020
- Noted and Filed
-

O-2 Department Reports:

- a) PA 202 of 2017 – The Protecting Local Government Retirement and Benefits Act
 - b) Fourth Quarter 2020 Litigation Report
- Noted and Filed
-

O-3 Letters of Appreciation:

- a) In Appreciation and Honor of Constance Doherty from Mary McGrath
 - b) To Department of Public Works from Sjanna Young Regarding Boulan Park Maintenance
 - c) To Cindy Stewart from The Hahn Family Regarding Troy’s Best Holiday Decorated Homes
- Noted and Filed
-

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

P. COUNCIL COMMENTS:

P-1 No Council Comments Advanced

Q. CLOSED SESSION

Q-1 No Closed Session Requested

R. ADJOURNMENT:

The Meeting **ADJOURNED** at 8:25 PM.

Mayor Ethan Baker

Cheryl A. Stewart, CMC, MiPMC II
Deputy City Clerk

2021 SCHEDULED SPECIAL CITY COUNCIL MEETINGS:

February 1, 2021.....	City Council Code of Ethics
March 23, 2021	Personnel Evaluations
April 19, 2021.....	Budget Discussions
April 22, 2021.....	Budget Discussions

2021 SCHEDULED REGULAR CITY COUNCIL MEETINGS:

January 25, 2021	Regular Meeting
February 8, 2021.....	Regular Meeting
February 22, 2021.....	Regular Meeting
March 8, 2021	Regular Meeting
March 22, 2021	Regular Meeting
April 12, 2021.....	Regular Meeting
April 26, 2021.....	Regular Meeting
May 10, 2021	Regular Meeting
May 24, 2021	Regular Meeting
June 14, 2021	Regular Meeting
June 28, 2021	Regular Meeting
July 12, 2021.....	Regular Meeting
July 26, 2021.....	Regular Meeting
August 9, 2021.....	Regular Meeting
August 30, 2021.....	Regular Meeting
September 13, 2021	Regular Meeting
September 27, 2021	Regular Meeting
October 11, 2021	Regular Meeting
October 25, 2021	Regular Meeting
November 8, 2021	Regular Meeting
November 22, 2021	Regular Meeting
December 6, 2021	Regular Meeting
December 13, 2021	Regular Meeting