



CITY COUNCIL

REGULAR MEETING

AGENDA

MARCH 8, 2021
CONVENING AT 7:30 P.M.

Submitted By
The City Manager

NOTICE: Persons with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk at (248) 524-3316 or via e-mail at clerk@troymi.gov at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.



500 West Big Beaver
Troy, MI 48084
troymi.gov

The Honorable Mayor and City Council Members

City of Troy
500 West Big Beaver
Troy, MI 48084

Dear Mayor and City Council Members:

In this packet, you will find the agenda for the City Council meeting. To help facilitate an informed discussion, the packet provides you with agenda items and additional details. The packet also contains recommended courses of action for your consideration and seeks to aid you in adopting sound policy decisions for the City of Troy.

This comprehensive agenda has been put together through the collaborative efforts of management and staff members. We have made all attempts to obtain accurate supporting information. It is the result of many meetings and much deliberation, and I would like to thank the staff for their efforts.

If you need any further information, staff is always available to provide more information and answer questions that may arise. You can contact me at CityManager@troymi.gov or 248.524.3330 with questions.

Respectfully,

Mark F. Miller,
City Manager



Troy City Council Code of Ethics

1. The Troy City Council shall:

- Respect the confidentiality of privileged information;
- Recognize that an individual council member has no authority to speak or act for Council;
- Work with other council members to establish effective policies;
- Delegate authority for the running of the City to the administrative staff;
- Encourage the free expression of opinion by all council members;
- Seek systematic communications between council, administrative staff, and all elements of the community;
- Render all decisions in a fair and impartial manner, based on the available facts and independent judgment rather than succumbing to the influence of individuals or special interest groups;
- Make every effort to attend all meetings;
- Become informed concerning the issues to be considered at each meeting;
- Avoid actual or apparent conflicts of interest, and make appropriate disclosures;
- Refrain from using this position for personal benefit, nor for the benefit of family members or business associates;
- Use the same care and caution when using electronic media as would be exercised when speaking face-to-face or through written memorandum;
- Avoid use of derogatory or denigrating language;
- Treat all people fairly and with dignity and respect;
- Abstain from harassing or discriminatory behavior of any kind;
- Participate in annual ethics training provided by City Administration or a qualified outside contractor.
- Avoid any situation that could undermine public confidence, and neither solicit nor accept gifts offered for any official actions. There may be times when unsolicited items of a trivial value (less than \$25) are provided to City Council members in connection with marketing of new businesses or economic development and organizations, and such items can be retained as long as the aggregate value of gifts per year does not exceed \$250. City Council members shall annually submit a report of all unsolicited items received to the Troy City Clerk as part of the mandatory disclosure statements. City Council members and/or their significant others can accept invitations for ribbon cutting/grand openings and other ceremonial or celebratory events where food and/or beverages will be consumed.
- Adhere to the following tenets in the ICMA Code of Ethics (revised June 2020):
 - Affirm the dignity and worth of local government services and maintain a deep sense of social responsibility as a trusted public servant. (Tenet 2)
 - Demonstrate by word and action the highest standards of ethical conduct and integrity in all public, professional, and personal relationships in order to merit the trust and respect of elected and appointed officials, employees, and the public. (Tenet 3)
 - Serve the best interest of the people. (Tenet 4)

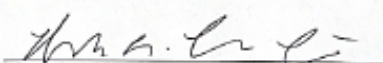
2. Any City Council member may detail a suspected violation of this Code of Ethics by another City Council member, and forward this to the Troy City Council for action. The accused City Councilmember shall have an opportunity to respond to the allegations. If after considering all of the information, the Troy City Council determines that there was a violation of this Code of Ethics, then City Council may censure the offending City Council member, or take any other action that is allowed under the law, including but not limited to a request for a criminal misconduct investigation.


Signed this 9th day of February, 2021.



Mayor Ethan D. Baker


Council Member Edna Abraham


Mayor Pro Tem Theresa Brooks


Council Member Rebecca Chamberlain-Creanga


Council Member Ann Erickson Gault


Council Member David Hamilton


Council Member Ellen Hodorek



CITY COUNCIL AGENDA

March 8, 2021 – 7:30 PM

View the Meeting Live at

www.troymi.gov/currentagenda

or on Local Access Cable (WOW – Ch 10,
Comcast – Ch 17, AT&T – Ch 99)

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A. CALL TO ORDER:**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

Excuse Absent Council Members:

Suggested Resolution

Resolution #2021-03-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of _____ at the Regular City Council Meeting of March 8, 2021, due to _____.

Yes:

No:

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 Service Commendation for Fire Chief Dave Roberts *(Presented by: Mayor Ethan Baker)*

C-2 Resolution to Honor the City of Troy Residents Who Lost Their Lives Due to the COVID-19 Pandemic *(Presented by: Mayor Ethan Baker)*

C-3 Proclamation to Recognize International Women's Day – March 8, 2021 *(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:

In accordance with the Rules of Procedure for the City Council:

Any person not a member of the City Council may address the Council with recognition of the Chair, after clearly stating the nature of his/her inquiry or comment. **NOTE TO THE PUBLIC:**

City Council requests that if you do have a question or concern, to bring it to the attention of the appropriate department(s) whenever possible. If you feel that the matter has not been resolved satisfactorily, you are encouraged to bring it to the attention of the City Manager, and if still not resolved satisfactorily, to the Mayor and Council.

- Petitioners of items that are included in the pre-printed agenda booklet shall be given a fifteen (15) minute presentation time that may be extended with the majority consent of City Council.
- Any member of the public, not a petitioner of an item, shall be allowed to speak for up to three (3) minutes to address any Public Hearing item.
- Any member of the public, not a petitioner of an item, does not have the right to engage in discussion or debate with City Council during the Public Comment portions of the meeting.
- All members of the public who wish to address the Council at a meeting shall be allowed to speak only if they have signed up to speak within thirty minutes before or within fifteen minutes after the meeting's start time. Signing up to speak requires each speaker provide his or her name. If the speaker is addressing an item(s) that appears on the pre-printed agenda, then the speaker shall also identify each such agenda item number(s) to be addressed.
- City Council may waive the requirements of this section by a consensus of the City Council.
- Agenda items that are related to topics where there is significant public input anticipated should initiate the scheduling of a special meeting for that specific purpose.

Prior to Public Comment for Items On the Agenda, the Mayor may provide a verbal notification of the rules of decorum for City Council meetings or refer to the pre-printed agenda booklet, which will include the following language, as approved by City Council:

The audience should be aware that all comments are to be directed to the Council rather than to City Administration or the audience. Anyone who wishes to address the Council is required to sign up to speak within thirty minutes before or within fifteen minutes of the start of the meeting. There are three Public Comment portions of the agenda. For Items On the Agenda, visitors can sign up to address Postponed, Regular Business, Consent Agenda, or Study items or any other item on the agenda. All other topics are addressed under Items Not on the Agenda. There is a timer on the City Council table in front of the Mayor that turns yellow when there is one minute of speaker time remaining, and turns red when the speaker's time is up. In order to make the meeting more orderly and out of respect, please do not clap during the meeting, and please do not use expletives or make derogatory or disparaging comments about any one person or group. If you do so, then there may be immediate consequences, including having the microphone turned off, being asked to leave the meeting, and/or the deletion of speaker comments for any re-broadcast of the meeting. Speakers should also be careful to avoid saying anything that would subject them to civil liability, such as slander and defamation. Please avoid these consequences and voluntarily assist us in maintaining the decorum befitting this great City.

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

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 – Election Commission****a) Mayoral Appointments: None****b) City Council Appointments:**Suggested Resolution

Resolution #2021-03-

Moved by

Seconded by

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

Election Commission

Appointed by Council

2 Regular Members and 1 Charter Member

1 Year Term

Term Expires: 1/31/2022**Ray Watts**

Term currently held by: Ray Watts

Term Expires: 1/31/2022**Steven Sadlier**

Term currently held by: Harry Philo

Yes:

No:

I-2 Board and Committee Nominations: a) Mayoral Nominations – Brownfield Redevelopment Authority, Downtown Development Authority, Global Troy Advisory Committee, Local Development Finance Authority; b) City Council Nominations – Building Code Board of Appeals, Parks and Recreation Board, Traffic Committee, Zoning Board of Appeals**a) Mayoral Nominations:**Suggested Resolution

Resolution #2021-03-

Moved by

Seconded by

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:

Brownfield Redevelopment Authority

Appointed by Mayor
6 Regular Members
3 Year Term

Current Members:

Last Name	First Name	App/Resume Expire	Appointment Expire	Notes 2
Gottlieb	Steven	11/24/2016	4/30/2022	
Kornacki	Rosemary	12/14/2022	4/30/2023	
Noguez-Ortiz	Carolina	12/19/2019	4/30/2023	GTAC exp 10/30/2022
Sweidan	Rami	4/28/2022	4/30/2023	
Vacancy			4/30/2021	Mr. Salgat resigned 10/15/2019
Vassallo	Joseph	3/27/2020	4/30/2021	

Nominations to the Brownfield Redevelopment Authority:**Term Expires: 4/30/2021**

Term currently held by: Vacancy–Mr. Salgat resigned 10/15/19

Interested Applicants:

Last Name	First Name	App/Resume Expire	Notes 1
Beyer	Joseph	10/26/2022	
Chanda	Hirak	12/30/2022	
Marrero-Laureano	Alexander	10/26/2022	
McGerty	Ryan	9/18/2022	
Rahman	Mahfuzur	9/24/2022	
Swaminathan	Abiramasundari	3/6/2022	

Downtown Development Authority

Appointed by Mayor
13 Regular Members
4 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 1	Notes 2
Baker	Ethan		11/13/2023	At Large	City Council exp. 11/13/2023; DDA; LDFA
Blair	Timothy	6/17/2017	9/30/2023	In District	

Bush	Cheryl	7/13/2022	9/30/2024	In District	
Keisling	Laurence	9/11/2022	9/30/2024	At Large	
Kiriluk	Alan	9/29/2022	9/30/2024	In District	
Knollenberg	Martin	6/28/2021	9/30/2023	In District	
Koza	Kenny	9/18/2019	9/30/2021	In District	
MacLeish	Daniel	6/15/2019	9/30/2021	In District	
Reschke	Ernest	10/4/2020	9/30/2022	At Large	
Schroeder	Douglas	10/23/2016	9/30/2022	At Large	
Tomcsik-Husak	Tara	9/22/2022	3/30/2024	In District	
Vacancy			9/30/2022	At Large	Ward Randol Jr. resigned 2/1/2021
Vacancy			9/30/2023	In District	Brian Mioduszewski resigned 12/15/2020

Nominations to the Downtown Development Authority:**Term Expires: 9/30/2022**

Term currently held by: Vacancy – Ward Randol Jr. resigned
2/1/2021

Term Expires: 9/30/2023

Term currently held by: Vacancy – B. Mioduszewski resigned
12/15/2020

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 1	Notes 2
Ashland	David	11/14/2021	At Large	Liquor Adv Comm exp 1/31/2021
Beyer	Joseph	10/26/2022	In District	
Crawford	Timothy	6/26/2021	At Large	
Forster	Jeffrey	12/26/2021	At Large	Personnel Bd exp 4/30/2021
Goetz	John	3/4/2023	At Large	
Kornacki	Rosemary	12/14/2022	At Large	Brownfield Redev Auth exp 4/30/2023
McGerty	Ryan	2/25/2022	At Large	
Schick	Michael	12/22/2022	At Large	
Sekhri	Suneel	12/20/2021	At Large	
Sekhri	Arun	9/24/2022	At Large	
Shepherd	John	4/22/2021	At Large	
Singh	Inderpal	11/12/2021	At Large	

Vassallo	Joseph	3/4/2023	At Large	
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Global Troy Advisory Committee

Appointed by Mayor

12 Regular Members

3 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 1
Baker	Ethan			Council Member
Bica-Grodsky	Lisa	9/23/2022	10/30/2023	
Burrus	MiVida	7/15/2018	10/30/2022	
Fakhoury	Awni	4/28/2018	10/30/2021	
Hao	Kaitlin		10/30/2022	
Lu	Allison	10/1/2022	7/31/2021	Student
Mohideen	Syeda	8/24/2020	10/30/2021	
Natcheva	Daniela	11/8/2021	10/30/2022	
Noguez-Ortiz	Carolina	12/19/2019	10/30/2022	Brownfield Redev Auth exp 4/30/2023
Sekhri	Suneel	12/20/2021	10/30/2021	
Tholakapalli	Arjun	4/10/2021	7/31/2020	Student
Vacancy			10/30/2020	Rebecca Chamberlain-Creangă resigned 2/26/2020
Vacancy			10/30/2020	Cathleen Francois requested No Reappointment
Zhou	Yudong	10/23/2021	10/30/2022	

Nominations to the Global Troy Advisory Authority:

**Unexpired Term Expiring:
10/30/2023**

Term currently held by: Vacancy–Rebecca Chamberlain-
Creangă resigned 2/26/2020

Term Expires: 10/30/2023

Term currently held by: Vacancy – Cathleen Francois – No
Reappointment

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 1
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Ali	Aleem	1/2/2021	
Cicchini	Philippe	4/28/2022	
DiFalco	Melissa	12/2/2021	
Faiz	Iqbal	12/4/2022	
Fox	Tyler	11/15/2021	
Jones	Kelly	12/11/2021	Liquor Adv Comm exp 1/31/2023
Marrero-Laureano	Alexander	10/26/2022	
McGee	Timothy	3/2/2023	
Patel	Hitesh	2/2/2023	
Rahman	Mahfuzur	9/24/2022	
Swaminathan	Abiramasundari	3/6/2022	
Sweidan	Rami	3/2/2023	

Local Development Finance Authority (LDFA)

Appointed by Mayor
5 Regular Members
Staggered 4 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 1	Notes 2
Baker	Ethan		11/13/2023	Alternate; City Council	
Beltramini	Robin	7/17/2021	6/30/2022	Resident Member	Charter Rev Comm exp 4/30/2022
Hodorek	Ellen		11/8/2021	Alternate; City Council	City Council, LDFA exp 11/8/2021
Hoef	Paul V.	12/14/2022	6/30/2023	Resident Member	EDC exp 4/30/2015; LDFA exp 6/30/2023
Hunter	Daniel			Oakland County Designee	
Vacancy			6/30/2024	Resident Member	D. Shield's term exp 6/30/2016 - No Reappointment
Vacancy			6/30/2024	Resident Member	John Sharp's unexpired term
Vitale	Nickolas	3/7/2021	6/30/2023	Resident Member	

Nominations to the Local Development Finance Authority (LDFA):

Term Expires: 6/30/2024**Resident Member**

Term currently held by: Vacant

Term Expires: 6/30/2024**Resident Member**

Term currently held by: Vacant – Sharp's unexpired term

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 1
Crawford	Timothy	6/26/2021	
D'Aoust	Allen	5/23/2021	
DiFalco	Melissa	12/2/2021	
Rahman	Mahfuzur	9/24/2022	
Schick	Michael	12/22/2022	
Shepherd	John	4/22/2021	
Sweidan	Rami	4/28/2022	Brownfield Redev Auth exp 4/30/2023
Vassallo	Joseph	3/4/2023	
Yu	Fu-Shin	8/20/2021	

Yes:

No:

b) City Council Nominations:Suggested Resolution

Resolution #2021-03-

Moved by

Seconded by

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:

Building Code Board of Appeals

Appointed by Council

5 Regular Members: Three (3) Residents with background, training or experience in construction or similar trades; at least one shall be a professional structural or civil engineer of architectural engineering experience; Two (2) by Ordinance - City Manager and Oakland County Health Department Representative

5 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 1	Notes 3
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Abitheira	Gary	1/20/2014	1/1/2022	Resident w/Construction/Engineering Experience.	
Brooks	Teresa	1/4/2019		Oakland County Health Dept Sanitarian	
Dziurman	Matthew	3/6/2021	1/1/2025	Resident w/Construction Experience	
Frisen	Sande	11/2/2017	1/1/2020	Architectural Engineer	Requests Reappointment
Miller	Mark F.			Per Chapter 79, Sect 116.2	

Nominations to the Building Code Board of Appeals:**Term Expires: 1/1/2025**

Term currently held by: Sande Frisen

Interested Applicants:

Last Name	First Name	App/Resume Expire	Notes 1
Ali	Aleem	1/2/2021	Engineering experience
Bertelsen	David	3/2/2022	
Chambers	Barbara	2/26/2021	Historic Dist Comm exp 3/1/2023
Sweidan	Rami	3/2/2023	

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

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 1
Baker	Julia	8/8/2021	9/30/2022	Resigned 3/1/2021
Bo	Elaine		12/31/2099	
Brady	Pamela	10/4/2020	9/30/2022	
Brady	Michael	10/4/2020	9/30/2021	
Colussi	Casey	8/20/2022	9/30/2023	
Franklin	Kristin	8/8/2021	9/30/2022	
Fulcher	Timothy	8/9/2021	7/31/2021	Troy School Board of Education Rep
Martin	Kelly	7/11/2021	9/30/2023	

Sahu	Akshitha	9/28/2022	7/31/2021	Graduates 2023
Shepherd	John Chuck	4/22/2021	9/30/2021	

Nominations to the Parks and Recreation Board:**Term Expires: 9/30/2022**

Term currently held by: Julia (Judy) Baker – Resigned 3/1/2021

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 2
Ashland	David	11/14/2021	Liquor Adv Comm exp 1/31/2024
Chanda	Hirak	11/25/2021	Hist Dist Comm exp 5/15/2021
Cicchini	Philippe	4/28/2022	
Dicker	Susanne Forbes	8/15/2022	Hist Dist Comm exp 3/1/2023
DiFalco	Melissa	12/2/2021	
Dziurman	Matthew	3/6/2021	Bldg Code Bd of Appeals exp 1/1/2025
Faiz	Iqbal	12/4/2022	
Forster	Jeffrey	1/13/2022	Personnel Bd exp 4/30/2021
Fox	Tyler	11/15/2021	
Hoef	Paul	12/14/2022	Local Dev. Finance Auth exp 6/30/2023
McGee	Timothy	3/2/2023	Historic Dist Comm exp 5/15/2021
Patel	Hitesh	2/2/2023	
Tholakapalli	Arjun	4/10/2021	Student - Graduates 2021; Global Troy Adv Comm exp 7/31/2021
Yu	Fu-shin	8/20/2021	

Traffic Committee

Appointed by Council

7 Regular Members

3 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 1	Notes 2
Huotari	William		Ex-Officio Member		
Johnson	Donald	1/11/2020	1/31/2021		No Reappointment
Kilmer	Richard	1/9/2019	1/31/2023		

Nastasi	Frank		Ex-Officio Member		
Nurak	Cindy	1/16/2021	1/31/2022		
Petrulis	Al	12/16/2021	1/31/2023		ACAB exp9/30/2021; HDC EXP 3/1/2023
Riesterer	R. Chuck		Ex-Officio Member		
Shende	Alankar	7/18/2021	7/31/2021	Student - Graduates 2021	
Sivaraman	Sunil	12/22/2020	1/31/2022		
Wilsher	Cynthia	1/18/2020	1/31/2021		Requests Reappointment
Ziegenfelder	Peter	12/4/2021	1/31/2023		

Nominations to the Traffic Committee:**Term Expires: 1/31/2024**

Term currently held by: Donald Johnson-No Reappointment

Term Expires: 1/31/2024

Term currently held by: Cynthia Wilsher

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 1
Abdullah	Nehar	2/3/2023	
Aggarwal	Divya	8/12/2021	Student - Graduates 2020
Ali	Aleem Quader	1/2/2021	
Chanda	Hirak	11/25/2021	Hist Dist Comm exp 3/1/2021
Swaminathan	Abiramasundari	3/6/2022	

Zoning Board of Appeals

Appointed by Council
7 Regular Members; 2 Alternates
3 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 1	Notes 3
Bossenbroek	Michael	4/27/2022	4/30/2023		
Clark	Glenn	4/16/2020	4/30/2021		
Desmond	Thomas	5/7/2017	4/30/2021		

Eisenbacher	David	3/16/2018	4/30/2022		
Green	Aaron	7/14/2022	4/30/2022		
Kaltsounis	Orestis Rusty	10/14/2022	1/31/2021	Alternate	Requests Reappointment
Kenkre	Mahendra	1/4/2023	1/31/2021	Alternate	Requests Reappointment
McCauley	James	1/12/2019	4/30/2023		
Rahman	Sadek	10/15/2022	12/31/2021		

Nominations to the Zoning Board of Appeals:**Term Expires: 1/31/2024****Alternate**

Term currently held by: Orestis Rusty Kaltsounis

Term Expires: 1/31/2024**Alternate**

Term currently held by: Mahendra Kenkre

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 1
Abdullah	Nehar	2/3/2023	
Chambers	Barbara	12/4/2021	
Frisen	Sande	12/4/2021	
Goetz	John	3/4/2023	
Hashmi	Amin	12/16/2021	
Premo	John	1/2/2022	
Sweidan	Rami	6/26/2021	

Yes:

No:

I-3 No Closed Session Requested**I-4 Request to Temporarily Suspend Business Licensing Requirements for Amusements and Auto Washes****Suggested Resolution**

Resolution #2021-03-

Moved by

Seconded by

WHEREAS, The Troy City Code of Ordinances requires that amusements such as bowling alleys, pool tables, skating rinks, arcades, and arcade games be licensed annually with the City Clerk's

Office. The City Code also requires car washes to be licensed annually with the City Clerk's Office; and,

WHEREAS, License fees, set by the Troy City Code of Ordinances, are due annually for these types of businesses, even during the closures that were mandated during the COVID-19 pandemic response; and,

WHEREAS, Most businesses that are required to obtain City of Troy amusement licenses and car wash licenses were forced to close in 2020, and remain closed or at a reduced level of service that is impacting their financial stability; and,

WHEREAS, Troy City Council has expressed support for local businesses affected by the COVID-19 pandemic response, such as restaurants, bowling alleys, and other small businesses, by alleviating other City Code requirements such as temporary signs in order to help businesses stay afloat during this difficult time.

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **SUSPENDS** the business licensing requirements in the following chapters of the City Code for the 2021 calendar year in order to help amusement places, restaurants, arcades, car washes, and businesses that offer amusement devices to their patrons:

Chapter 68 – Amusements and Recreation Places

Chapter 71 – Auto Wash – Motor Vehicle Laundry

Chapter 96 – Billiard Parlors, Pool Rooms

Chapter 97 – Coin-Operated Amusement Devices and Arcades

BE IT FURTHER RESOLVED, That Troy City Council hereby **SUSPENDS** *Section 7.13 Late Renewals of Chapter 59 – Licenses*, in order to waive the 25% and 50% late fees applied to business license fees that are submitted after January 15, for the 2021 calendar year for all annual business license fees collected by the City Clerk's Office.

BE IT FINALLY RESOLVED, That Troy City Council hereby **AUTHORIZES** the City Clerk to issue refunds of payments already received from the businesses that are required to obtain licenses pursuant to Chapters 68, 71, 96 and 97 of the Troy City Code.

Yes:

No:

J. CONSENT AGENDA:

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

Suggested Resolution

Resolution #2021-03-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **APPROVES** all items on the Consent Agenda as presented with the exception of Item(s) _____, which shall be **CONSIDERED** after Consent Agenda (J) items, as printed.

Yes:

No:

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

J-2 Approval of City Council Minutes

Suggested Resolution

Resolution #2021-03-

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

- a) City Council Minutes-Draft – February 22, 2021

J-3 Proposed City of Troy Proclamations:

Suggested Resolution

Resolution #2021-03-

- a) Proclamation for Bicentennial of Greek Independence Day – March 25, 2021

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 4: Oakland County Purchasing Cooperative – Troy Family Aquatic Center Hot Water System Replacement**

Suggested Resolution

Resolution #2021-03-

RESOLVED, That the Troy City Council hereby **AWARDS** a contract to furnish all labor, materials and equipment to install a tankless hot water system at Troy Family Aquatic Center to *Limbach Inc. of Pontiac, MI*, for an estimated cost of \$88,250 with a 10% contingency not to exceed amount of \$97,075 at the prices detailed in the quote and per the Oakland County Purchasing Cooperative Contract #005013.

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.

- b) **Standard Purchasing Resolution 2: Award to Low Bidder Meeting Specifications – Patrol Rifles – Police Department**

Suggested Resolution

Resolution #2021-03-

RESOLVED, That Troy City Council hereby **AWARDS** a contract to the low bidder meeting specifications, *Michigan Police Equipment Company of Charlotte, MI*, to supply the Police Department with replacement Patrol Rifles and Attachments for an estimated total amount of

\$75,439.80 less the estimated trade-in value of \$27,160.00 for an estimated total cost of \$48,279.80 at the unit prices contained in the bid tabulation opened February 18, 2021; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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

c) Standard Purchasing Resolution 1: Award to Low Bidder – Contract 20-06 – 2020 CIPP Program

Suggested Resolution
Resolution #2021-03-

RESOLVED, That Troy City Council hereby **AWARDS** Contract No. 20-06, 2020 CIPP Program, to *Lanzo Companies, Inc., 28135 Groesbeck Highway, Roseville, MI 48066*, for their low total bid amount of \$591,603.

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.

J-5 Bid Waiver Purchase – Bullard Particulate Barrier Hoods – Sole Source Distributor

Suggested Resolution
Resolution #2021-03-

RESOLVED, That in the best interest of the City, Troy City Council hereby **WAIVES** the formal bid process and **AWARDS** a contract to the only authorized distributor for Bullard Hoods in Southeastern Michigan, *Dinges Fire Company of Amboy, IL*, to purchase a total of two hundred (200) Bullard PBHWHML24 Hoods for an estimated total cost of \$18,073 as detailed in the quote; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-6 Contract Amendment – Tree and Stump Maintenance Services

Suggested Resolution
Resolution #2021-03-

RESOLVED, That the Troy City Council hereby **APPROVES** an amendment to the contract with *J.H. Hart Urban Forestry of Sterling Heights, MI* to include two (2) additional line items for Saw Crane Services with and without Support Vehicles at unit prices of \$405.00/hour and \$307.00/hour respectively.

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

J-7 Addendum #1 - Contract 19-05 – Willow Grove Sanitary Sewer

Suggested Resolution
Resolution #2021-03-

RESOLVED, That Troy City Council hereby **AWARDS** Addendum #1 to Contract No. 19-05, Willow Grove Sanitary Sewer, to *T.R. Pieprzak Co., Inc., 6267 St. Clair Hwy., China Township, MI 48054*, at an estimated total cost of \$81,076.10 for Willow Grove Sanitary Sewer.

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 20% of the total project cost.

J-8 Steven Gillman v. City of Troy

Suggested Resolution
Resolution #2021-03-

RESOLVED, That the Troy City Attorney's Office is hereby **AUTHORIZED** and **DIRECTED** to represent the City of Troy in any and all claims for relief in the matter of *Steven Gillman v. City of Troy*, (Oakland County Circuit Court Case No. 2021-185850-CZ).

BE IT FURTHER RESOLVED, The City Attorney's Office is **AUTHORIZED** to pay necessary costs and expenses and to retain any necessary expert witnesses to adequately represent the City.

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:****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) Parks and Recreation Board-Final – February 6, 2020
 - b) Parks and Recreation Board-Final – January 14, 2021
-

O-2 Department Reports:

- a) Resident Engagement and Priority Study
 - b) Interim Financial Report 2nd Quarter For The Six Months Ended December 31, 2020
 - c) Liquor Violation Hearings
 - d) Application to De-List 6071 Livernois
-

O-3 Letters of Appreciation:

- a) To Aileen Dickson and the City of Troy Clerk's Office from the Democratic Precinct Delegates of Troy Regarding the November Election Process
-

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

O-5 Notice of Hearing for the Gas Customers of DTE Case No. U-20966

O-6 Notice of Hearing for the Gas Customers of DTE Case No. U-20940

P. COUNCIL COMMENTS:

P-1 Council Comments Advanced

Mayor Ethan Baker's comments regarding [2021 State of the City Address](#). *(Please click on link to view backup material.)*

Q. CLOSED SESSION

Q-1 No Closed Session**R. ADJOURNMENT:**

Respectfully submitted,



Mark F. Miller
City Manager

2021 SCHEDULED SPECIAL CITY COUNCIL MEETINGS:

March 10, 2021 Special Joint City Council and Global Troy Advisory Committee
March 24, 2021 Personnel Evaluations
April 19, 2021 Budget Discussions
April 22, 2021 Budget Discussions

2021 SCHEDULED REGULAR CITY COUNCIL MEETINGS:

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

SERVICE COMMENDATION FIRE CHIEF DAVID ROBERTS

WHEREAS, At the age of 18, **Dave Roberts** began his volunteer service with the Troy Fire Department at Station 3 in 1978 responding to calls for service and began his career with the City of Troy in 1980 when he was hired as a Police Cadet with the Troy Police Department. He left in 1983 for one year to work as a Communications Supervisor with the Southfield Police Department, and returned to the City of Troy in 1984 as a Communications Supervisor with the Troy Police Department; and

WHEREAS, **Dave** continued his volunteer Firefighter status, serving as Station Lieutenant at Fire Station 3 from 1981-1985. He was responsible for assigned apparatus; training new members on apparatus and equipment operations; and leading/supervising firefighters at fire incidents. In 1982 **Dave** assumed the role of Training Instructor at Fire Station 3, responsible for developing and implementing station training programs for the members and served as Station 3's Captain from 1985-1987; and

WHEREAS, In 1986 **Dave** was hired as a full-time Fire Inspector, performing fire and life safety code enforcement inspections, conducting public fire safety education programs, and helping to implement new department protocols. In 1993 **Dave** was promoted to Assistant Fire Chief/Fire Marshal with the Troy Fire Department. He was instrumental in the development of additional department protocols; responsible for adopting the 2000, 2003, 2006, 2009, and 2012 International Fire Code with local amendments as the City of Troy Fire Prevention Ordinance; and

WHEREAS, **Dave** also implemented fire alarm, fire suppression, hazardous materials, fireworks, occupancy, and special event permitting programs; was instrumental in implementing/adopting false fire alarm local ordinance; and the Fire Department requirements for City Development (Engineering Design) Standards. **Dave** created Fire Explorer Post 911 and coordinated its management with Station 1 Captain Don Hudson; was instrumental in the planning and design of Fire Station #3 with former Staff Lt. Rod Bovensiep; and was instrumental in the first career staff reorganization; and

WHEREAS, In 2015 **Dave** was promoted to the position of Troy's Fire Chief. In this role he oversaw and coordinated ISO re-evaluation efforts; administered the EMS and First Responder medical program; oversaw the budget and construction of new Fire Station #4 with Assistant Chief Hullinger and Staff Lt. Hugg. **Dave** implemented the GPS Emergency Vehicle Pre-emption traffic signal replacement; oversaw design and purchase of two new SLR75 ladder trucks with Assistant Chief Hullinger; implemented TFD Firefighter Memorial at Firefighters Park; initiated the formation of the S.O.F.A. M.A.B.A.S. mutual aid group, comprised of three SE Oakland County fire departments and six area public safety departments; and co-initiated the formation of the T.O.R.R.A. M.A.B.A.S. training group comprised of five eastern Oakland County fire departments; and

WHEREAS, **Dave** received his Bachelor of Science degree in Fire Protection from Madonna University in 1986 and a Master of Science degree from Central Michigan University in Public Administration in 1995. Over his career **Dave** also earned numerous Dispatch and Fire certifications; and

WHEREAS, During his 42 years of career service, **Dave** worked under six City Managers and directed Troy's 180 volunteer and 11 sworn career personnel operating over 30 apparatus and vehicles from 6 stations and the Fire-Police Training Center with a \$6.3 million budget. **Dave** retired as a volunteer Firefighter in 2008 after serving 32 years; and

WHEREAS, **Dave retired from the City of Troy on February 5, 2021 after 42 years of dedicated service** and the utmost respect from the Troy employees, volunteer Firefighters, and countless members of the organizations he served. **Dave** has received commendation awards from both the Troy Police and Fire Departments, merit service awards, safe driving awards, and a station member of the year award in 2009; and

WHEREAS, **Dave** will now enjoy more time with his wife **Susan** (married 32 years on April 22, 2021), daughter **Cecilia**, son **Jonathan**, and daughter-in-law **Bridget**; as well as enjoying his ham radio hobby, traveling, and spending time up north and in Florida;

NOW, THEREFORE, BE IT KNOWN, That the Mayor and City Council of the City of Troy take this opportunity to express their appreciation to **Fire Chief Dave Roberts** for his professionalism and his many contributions to the Troy Fire Department for the betterment of the community; and

BE IT FURTHER KNOWN, That the Mayor and City Council of the City of Troy, City Management, and the citizens of the City of Troy, extends wishes of prosperity, good health and happiness to **Dave** during his well-deserved retirement years.

Presented the 8th day of March 2021.

**RESOLUTION
TO HONOR THE CITY OF TROY RESIDENTS
WHO LOST THEIR LIVES DUE TO THE COVID-19 PANDEMIC**

WHEREAS, The first US citizen to contract the 2019 Novel Coronavirus was identified on January 21, 2020, and had recently traveled from Wuhan, China; and

WHEREAS, On March 10, Governor Gretchen Whitmer, the Michigan Department of Health and Human Services (MDHHS), the Oakland County Health Division, and Wayne County Health Department announced that two Michigan residents tested presumptive positive for coronavirus disease 2019 (COVID-19), the first confirmed cases in Michigan; and

WHEREAS, As of today, more than 500,000 people across the United States have passed away due to the COVID pandemic. Information from the Oakland County Health Department reports that a number of Troy residents have died due to the novel coronavirus since March 2020; and

WHEREAS, People everywhere are finding ways to thank our health care heroes and to honor the victims. There have been tiny flags, empty chairs, lit candles, shining lights, and photos to memorialize the many victims of the pandemic; and

WHEREAS, As a Nation, as a City, and as a Community, we must remember in order to heal; and

NOW THEREFORE BE IT RESOLVED, That the Mayor and City Council of the City of Troy will hereby honor the Troy residents that lost their lives due to the COVID pandemic by placing white flags on the lawn in front of Troy City Hall; and

BE IT FURTHER RESOLVED, That the Mayor and City Council of the City of Troy encourage our residents to always remember those we have lost due to the COVID pandemic and to give thanks for the lives saved from the virus. The Troy residents we have lost due to COVID are loved ones from our community - mothers, fathers, daughters, sons, grandmothers, grandfathers, aunts, and uncles.

Presented this 8th Day of March 2021.

**PROCLAMATION TO RECOGNIZE
INTERNATIONAL WOMEN'S DAY
MARCH 8, 2021**

WHEREAS, The history of **International Women's Day** (IWD), though comparatively short is as bold and brilliant as its founders themselves. Long before the Feminist Movement of the 1960s, International Women's Day's genesis goes back to February 28, 1909 in New York with a prophetic focus on women's rights; and

WHEREAS, Known originally as "**National Woman's Day**," it was first proposed by Theresa Malkiel and loosely based on the urban legend commemorating a protest by women garment workers in New York City, on March 8, 1857. One hundred women delegates from 17 countries agreed with the suggestion as a means to continue promoting the rights of women, including suffrage - the right to vote; and

WHEREAS, On March 19, 1911, **International Women's Day** was officially marked for the first time. More than one million people celebrated in Austria, Denmark, Germany and Switzerland. Women demanded the right to vote, to fight against sex discrimination in the workplace, and to hold public office; and

WHEREAS, In 1913, **International Women's Day** was recognized in Russia for the first time, where it catapulted to become part of what led to the Russian Revolution in 1917. In 1922, it reached China where March 8 was declared an office "half-day of work" for women in 1949; and

WHEREAS, The demand for women's rights continued to grow, gain support, and shine a much-needed light on the poor conditions under which too many women continued to live. In 1967, the notion of women's rights was taken up by the next generation of feminists who called for equal pay, equal economic opportunity, equal legal rights, reproductive rights, subsidized child care and the prevention of violence against women; and

WHEREAS, The United Nations began celebrating **International Women's Day** in 1975, which was declared "International Women's Year." In 1977, the United Nations invited members to proclaim March 8th as the *UN Day for Women's Rights and World Peace* and International Women's Day continues to be celebrated worldwide each year on March 8;

NOW, THEREFORE, BE IT RESOLVED, That the Troy City Council recognizes the historical significance and importance of **International Women's Day**; and recognizes and applauds the contributions of so many courageous women – from many nations - throughout the past 100+ years. We celebrate the advancement of women's rights in all areas of life, with the acknowledgment there is still much progress to be made and work to be done because in many parts of the world women still live in fear and have fewer rights than imaginable; and

BE IT FURTHER RESOLVED, That the Troy City Council recognizes the strength of every woman and believe that together we can – WE WILL – fulfill the century-old vision of the **International Women's Day** Founders to stand firmly together as we do all we can to create a better, more peaceful world.

Presented this 8th day of March 2021



500 West Big Beaver
Troy, MI 48084
troymi.gov

I-04

CITY COUNCIL AGENDA ITEM

Date: March 2, 2021

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
M. Aileen Dickson, City Clerk

Subject: Request to Temporarily Suspend Licensing Requirements for Amusements and Auto Washes (Introduced by: Aileen Dickson, City Clerk)

History

The City Clerk's Office is responsible for annual business licensing, including amusements, coin-operated amusement devices, pool rooms, and car washes. Chapter 68 of the City Code regulates the licensing of amusement and recreation places such as bowling alleys, skating rinks, and swim clubs. Chapter 96 regulates the licensing of billiard/pool parlors. Chapter 97 regulates the licensing of coin-operated amusement devices (video games, pinball machines) and arcades. Chapter 71 regulates the licensing of car washes.

The COVID-19 pandemic and the subsequent statewide closures have impacted restaurants, bowling alleys, skating rinks, and small businesses like car washes. The City Clerk's Office began the 2021 renewal period for annual licenses in December. Of the 20 amusement licensees, 5 have applied. Of the 7 car wash licensees, 5 have applied. Car Wash Licenses are \$25 per year. Fees for amusements licenses are proscribed in Chapter 60 – Fees and Bonds Required:

Amusement Devices (Chapter 97)	
Application	\$100.00
Coin-Operated Amusement Device – 2 to 5 units	\$100.00 each
Coin-Operated Amusement Device – More than 5 units	\$50.00 each
Rides Mechanical	
Per day	\$20.00
Annual Fee	\$100.00
Annual Fee: Amusement Place – Not otherwise specified	\$50.00
Bowling Alley (Chapter 96)	
Annual Fee	\$50.00
Plus – Each alley over one – Annual Fee	\$2.00
Pool Room (Chapter 68)	
Annual Fee	\$50.00
Plus - Each table over one	\$5.00

Chapter 59 – Licenses proscribes a 50% late fee for any annual license fees not paid by January 15th.



500 West Big Beaver
Troy, MI 48084
troymi.gov

CITY COUNCIL AGENDA ITEM

In order to alleviate some of the financial burden that these licensees are experiencing, City Administration is requesting that City Council authorize the suspending of the license requirements for 2021 for businesses that are required by ordinance to obtain annual amusement, coin-operated, and car wash licenses. City Administration also requests that City Council suspend *Section 7.13 Late Renewals of Chapter 59 – Licenses*, in order to waive the 25% and 50% late fees applied to business license fees that are submitted after January 15, for the 2021 calendar year for all annual business license fees collected by the City Clerk's Office. Finally, City Administration requests that City Council authorize the City Clerk to issue refunds to any businesses who have already applied for the amusement, coin-operated devices or car wash licenses.

Financial

Annual revenue from all amusement license fees totals approximately \$14,000. Annual revenue from all car wash license fees totals approximately \$175.

Recommendation

City Administration recommends that City Council temporarily suspend licensing requirements for 2021 for businesses that are required by ordinance to obtain annual amusement, coin-operated and car wash licenses, and authorize refunds for fees already paid by those businesses for their 2021 licenses.

City Administration also recommends that City Council suspend the late fee requirement of Section 7.13 in Chapter 59 – Licenses for all businesses licensed by the City Clerk's Office.

Legal Review

This item was submitted to the City Attorney for review pursuant to City Charter Section 3.17.

MAD, G:\ City Council\ Agenda\Clerk Council Agenda Items\Licenses\20210308 Agenda – Request to Temporarily Suspend Business Licensing Requirements for Amusements and Car Washes

A. CALL TO ORDER:

A Regular Meeting of the Troy City Council was held electronically on Monday, February 22, 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

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 Service Commendation for Recreation Director Elaine Bo

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 Community Development Block Grant (CDBG) 2021 Funds – Public Hearing

The Mayor opened the Public Hearing for public comment.

The Mayor closed the Public Hearing after receiving comment from Patricia Hoskins from HAVEN.

Resolution #2021-02-022

Moved by Brooks

Seconded by Erickson Gault

WHEREAS, Oakland County is preparing an Annual Action Plan to meet application requirements for the Community Development Block Grant (CDBG) program, and other Community Planning and Development (CPD) programs; and,

WHEREAS, Oakland County has requested CDBG-eligible projects from participating communities for inclusion in the Action Plan; and,

WHEREAS, The City of Troy has duly advertised and conducted a public hearing on February 22, 2021 for the purpose of receiving public comments regarding the proposed use of FY 2021 Community Development Block Grant (CDBG) funds in the approximate amount of \$178,147.00; and,

WHEREAS, The City of Troy found that the following projects meet the federal objectives of the CDBG program and are prioritized by the community as high priority need:

<u>Account Number</u>	<u>Project Name</u>	<u>Amount</u>
172170-731332	Parks, Recreational Facilities	\$124,703.00
172160-732170	Public Services (Yard Services)	\$ 53,444.00

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **AUTHORIZES** City Administration to submit the City of Troy CDBG application to Oakland County for inclusion in Oakland County's Annual Action Plan to the U.S. Department of Housing and Urban Development, and that the Mayor is hereby **AUTHORIZED** to execute all documents, agreements, or contracts which result from this application to Oakland County.

Yes: All-7
No: None

MOTION CARRIED

F. PUBLIC COMMENT FOR ITEMS ON THE AGENDA:

Troy Resident	Commented on snow removal in the City
Orena Koka	Requested City Council input on the idea for a community fridge

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

H. POSTPONED ITEMS:

H-1 No Postponed Items

I. REGULAR BUSINESS:

I-1 Board and Committee Appointments: a) Mayoral Appointments – Board of Review; b) City Council Appointments – Liquor Advisory Committee

a) Mayoral Appointments:

Resolution #2021-02-023
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:

Board of Review
Appointed by Mayor
3 Regular Members
3 Year Term

Term Expires: 1/31/2024**Frank Strahl**

Term currently held by: Frank Strahl

Yes: All-7
No: None

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

Resolution #2021-02-024
Moved by Brooks
Seconded by Abraham

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

Liquor Advisory Committee

Appointed by Council
7 Regular Members
3 Year Term

Term Expires: 1/31/2024**David Ashland**

Term currently held by: David Ashland

Term Expires: 1/31/2024**Ann Comiskey**

Term currently held by: Ann Comiskey

Term Expires: 1/31/2024**Max Ehlert**

Term currently held by: Max Ehlert

Yes: All-7
No: None

MOTION CARRIED**I-2 Board and Committee Nominations: a) Mayoral Nominations – None; b) City Council Nominations – Election Commission****a) Mayoral Nominations: None****b) City Council Nominations:**

Resolution #2021-02-025
Moved by Brooks

Seconded by Abraham

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:

Election Commission

Appointed by Council
2 Regular Members and 1 Charter Member
1 Year Term

Nominations to the Election Commission:

Term Expires: 1/31/2022

Ray Watts

Term currently held by: Ray Watts

Term Expires: 1/31/2022

Stephen Sadlier

Term currently held by: Harry Philo

Yes: All-7
No: None

MOTION CARRIED

I-3 No Closed Session Requested

I-4 2021 City Council Meeting Schedule (*Introduced by: Robert J. Bruner, Assistant City Manager*)

Resolution #2021-02-026
Moved by Erickson Gault
Seconded by Chamberlain-Creanga

RESOLVED, That Troy City Council **RESCHEDULES** a Special Meeting at 6:00 PM as follows:

Tuesday, March 23, 2021	Cancelled
Wednesday, March 24, 2021	Personnel Evaluations

BE IT FURTHER RESOLVED, That Troy City Council **MAY RESCHEDULE** and/or **SCHEDULE** additional Special Meetings in accordance with the City Charter and Michigan Open Meetings Act.

Yes: All-7
No: None

MOTION CARRIED

I-5 Standard Purchasing Resolution 8: Best Value Award – Community Planning and Consulting Services (*Introduced by: Brent Savidant, Community Development Director, and Ben Carlisle, Principal Planner*)

Resolution #2021-02-027

Moved by Hamilton

Seconded by Chamberlain-Creangă

RESOLVED, That Troy City Council hereby **AWARDS** a contract to provide three-year requirements of Community Planning and Consulting Services with the option to renew for two (2) additional years to *Carlisle / Wortman Associates, Inc of Ann Arbor, MI* as a result of a best value process, in accordance with the Agreement and fees as listed in Exhibit A, contained herein for SOQ-COT 21-16 opened on January 14, 2021, a copy of which shall be **ATTACHED** to the original Minutes of this meeting;

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

BE IT FINALLY RESOLVED, That the Troy City Council hereby **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the Agreement for Community Planning and Consulting Services once in acceptable form to expire March 31, 2024.

Yes: All-7

No: None

MOTION CARRIED

J. CONSENT AGENDA:

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

Resolution #2021-02-028

Moved by Abraham

Seconded by Erickson Gault

RESOLVED, That Troy City Council hereby **APPROVES** all items on the Consent Agenda as presented with the exception of Item(s) J-03b, which shall be **CONSIDERED** after Consent Agenda (J) items, as printed.

Yes: All-7

No: None

MOTION CARRIED

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

J-2 Approval of City Council Minutes

Resolution #2021-02-028-J-2

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

- a) Special Joint City Council and Downtown Development Authority Minutes-Draft – February 3, 2021
- b) City Council Minutes-Draft – February 8, 2021

J-3 Proposed City of Troy Proclamations:

Resolution #2021-02-028-J-3

- a) Proclamation to Recognize International Women's Day- March 8, 2021

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 1: Award to Low Bidder – Contract 21-01 – Indusco Court Water Main Replacement**

Resolution #2021-02-028-J-4a

RESOLVED, That Troy City Council hereby **AWARDS** Contract No. 21-01, Indusco Court Water Main Replacement, to *Springline Excavating, LLC, 32945 Folsom, Rd., Farmington Hills, MI 48336* for their low total bid amount of \$1,218,337.20; a copy of the bid tabulation shall be **ATTACHED** to the original Minutes of this meeting.

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.

- b) **Standard Purchasing Resolution 4: Oakland County Purchasing Cooperative – Community Center Tankless Hot Water System**

Resolution #2021-02-028-J-4b

RESOLVED, That in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **AWARDS** a contract to *Limbach Inc. of Pontiac MI* to furnish all labor, materials and equipment to install a tankless hot water system at the Community Center for an estimated cost of \$126,700 with a 10% contingency not to exceed amount of \$139,400 at the prices detailed in the proposal and per the Oakland County Purchasing Cooperative Contract #005013.

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

J-5 Oakland County Interlocal Agreement – Restaurant Assistance

Resolution #2021-02-028-J-5

WHEREAS, Restaurant and bar establishments have experienced significant hardships as a result of the COVID-19 pandemic and State of Michigan Health Department directives; and,

WHEREAS, Oakland County has established the Oakland County Restaurant Relief Program; and,

WHEREAS, The City of Troy is participating in this program to assist our local restaurants and bars during this very difficult time; and,

WHEREAS, On December 7, 2020, the Oakland County Board of Commissioners allocated \$3 million dollars for cities, villages and townships to assist restaurants, bars and cafes to adapt their operations for outdoor dining and also to support (when allowed) the safe reopening of these establishments. To address the urgent need, the County developed a two-phase grant program to support restaurants, bars and cafes during COVID-19; and,

WHEREAS, In Phase I of the program, the County made available to cities, villages and townships certain types of products and supplies for distribution to restaurants, bars and cafes. Supplies offered include greenhouses/igloos, propane heaters, electrostatic sprayers, disinfectant and propane tanks. Six Troy restaurants, bars and cafes applied for Phase I program assistance and were approved for most of what was requested (with some quantity limitations); and,

WHEREAS, In Phase II of the program, the County is offering additional products and reimbursements to qualified restaurants, bars and cafes for the establishment of outdoor dining areas. Up to \$230,000 in reimbursement funding was approved by Oakland County for Troy restaurants. The City of Troy expects to assist at least 16 restaurants in Phase II, impacting approximately 370 jobs; and,

WHEREAS, The City of Troy partnered with the Troy Chamber of Commerce to help publicize the program and to identify program participants; and,

WHEREAS, City of Troy staff provided administrative and coordination services for the program. City of Troy staff also worked with vendors to facilitate prompt product delivery and/or pickup. Program recipients were connected to the City's Building and Fire Departments in order to ensure local code compliance; and,

WHEREAS, In order for local communities to participate in this Restaurant Relief Program, Oakland County is requiring each community to execute an Interlocal Agreement; and,

WHEREAS, Management recommends approval of the Interlocal Agreement for the Oakland County Restaurant Relief Program.

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the Interlocal Agreement for the Oakland County Restaurant Relief Program and **AUTHORIZES** the Mayor and Clerk to execute the agreement; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-6 Sub-Recipient Agreement Between Oakland and City of Troy for 2021 High Intensity Drug Trafficking Area (HIDTA) Grant

Resolution #2021-02-028-J-6

WHEREAS, The Oakland County Narcotic Enforcement Team (NET) is a multi-jurisdictional drug enforcement task force charged with the responsibility of investigating drug trafficking within Oakland County and Southeastern Michigan. The purpose of the task force is to detect and apprehend persons who violate narcotic and drug laws; and,

WHEREAS, Troy Police Department provides a full-time investigator for participation in NET; and,

WHEREAS, NET has entered into a Grant agreement with the Michigan High Intensity Drug Trafficking Area of the United States Office of National Drug Control Policy whereby NET investigators are eligible to receive reimbursement for qualifying NET-related costs, including overtime costs; and,

WHEREAS, A Subrecipient Agreement between Oakland County and City of Troy is required for purposes of receiving reimbursement for qualifying costs associated with the Troy PD investigator assigned to NET;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the attached 2021 HIDTA Grant Subrecipient Agreement between Oakland County and City of Troy.

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Chief of Police to sign the 2021 HIDTA Grant Subrecipient Agreement between Oakland County and City of Troy, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-3b Proposed City of Troy Proclamations:

Resolution #2021-02-029

Moved by Baker

Seconded by Erickson Gault

- b) Resolution to Honor the City of Troy Residents Who Lost Their Lives Due to the COVID-19 Pandemic

Yes: All-7

No: None

MOTION CARRIED

The Meeting **RECESSED** at 9:10 PM.

The Meeting **RECONVENED** at 9:15 PM.

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:****N. COUNCIL REFERRALS:**

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

N-1 Council Referral From Council Member Ellen Hodorek – Proclamation Requesting Assistance From Federal and State Elected Officials to Address Two Issues From the Modernize I-75 Project

Resolution #2021-02-030

Moved by Hodorek

Seconded by Hamilton

WHEREAS, Plans for the Modernize I-75 project were announced in February 2016 by then-Oakland County Executive L. Brooks Patterson, to rebuild and widen I-75, the interstate highway that runs through the City of Troy. The Michigan Department of Transportation is facilitating the completion of this project, which must comply with federal guidelines. The City of Troy does not have any authority or control over the completion of this project; and,

WHEREAS, The I-75 highway rebuild required the removal of what was essentially a natural sound barrier of trees and brush to allow for the additional space for the construction work; and,

WHEREAS, While it is understood the project includes plans for new landscape plantings, it will take years for those plantings to mature, and it is also unknown if the approved project landscaping will be effective in reducing the sound emanating from the I-75 traffic to the levels experienced prior to the commencement of the I-75 rebuild project; and,

WHEREAS, The Troy City Engineer has pursued and exhausted any options available to the City of Troy on behalf of its affected property owners, including but not limited to sound testing through the Michigan Department of Transportation. However, there are timing and density requirements in federal regulations that result in the denial of requests to replace and install the type of noise abatement that is logically required to ensure the modernization effort does not result in the deterioration of quality of life in the affected residential area; and,

WHEREAS, Many residents have rightfully sounded the alarm about this issue impacting a significant section of Troy found adjacent to I-75 from approximately Crooks to Coolidge to

Beach to Adams, where the noise reverberation increased after the installation of a wall on the other side of the highway, which was the first phase of the I-75 widening project; and,

WHEREAS, In addition to addressing substantial noise complaints from residents, the Troy City Council has also received a number of complaints from Troy business owners, who have been detrimentally impacted by significant delays in completion of the diverging diamond interchange at Big Beaver Road, adding months to the Big Beaver lane closures and difficulties for the businesses located in that area. This has created an additional key area requiring attention; and,

WHEREAS, Michigan State Senator Mallory McMorrow and Michigan House Representative Padma Kuppa have also been approached about these issues and are also striving to address them, with a clear understanding of the impact to Troy residents and businesses;

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council **URGES** Michigan Governor Gretchen Whitmer to join Senator McMorrow and Representative Kuppa as they work with us on behalf of the Troy constituents to address the two aforementioned areas.

BE IT FURTHER RESOLVED, That Troy City Council **CALLS UPON** all of our elected officials, (including U.S. Senator Gary Peters, U.S. Senator Debbie Stabenow, and U.S. Congresswoman Haley Stevens) to support our effort and to know we stand ready to work with you to seek solutions to these unintended consequences of the Modernize I-75 project and rectify them as soon as possible, which is in the best interest of the City of Troy and its impacted residents and businesses.

Yes: All-7
No: None

MOTION CARRIED

O. REPORTS:

O-1 Minutes – Boards and Committees:

- a) Employees' Retirement System Board of Trustees-Final – December 9, 2020
 - b) Civil Service Commission (Act 78)-Final – December 29, 2020
- Noted and Filed

O-2 Department Reports:

- a) Resident Engagement and Priority Study
 - b) Annual Planning Commission Report
 - c) Troy Nature Society Financial Statements and Annual Report for Fiscal Year Ending 2020
 - d) City of Troy's Snow and Ice Control Procedure – Service Level Report
- Noted and Filed

O-3 Letters of Appreciation:

- a) To Kurt Bovensiep from Joe Haddad Regarding Troy RYDE
 - b) To Troy Public Library from Daniel O'Brien for Excellent Service
- Noted and Filed

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

P. COUNCIL COMMENTS:

P-1 Council Comments

Council Member Hamilton commented on the Community Survey and he encourages residents to take the survey available the City of Troy social media sites.

Mayor Pro Tem Brooks commented that residents can go online to complete the Community Survey until February 28, 2021.

Council Member Chamberlain-Creangă thanked the Troy Nature Society and their programs, such as their Rent-A-Maple Program this weekend.

Council Member Erickson Gault thanked Kurt Bovensiep and the Department of Public Works for their amazing work on the recent snow event.

Council Member Hamilton congratulated Council Member Chamberlain-Creangă on the one-year anniversary of her appointment to City Council.

Council Member Chamberlain-Creangă thanked City Staff and City Council for their efforts with J-3b. She thanked all of the essential and frontline workers who go to work every day. She commented on all of the organizations working tirelessly to get their employees back into the office.

Mayor Pro Tem Brooks congratulated Council Member Chamberlain-Creangă on her one-year anniversary being on City Council.

Mayor Pro Tem Brooks announced a virtual Black History Month Panel Discussion on Thursday, February 26 at 6:00 PM.

Council Member Erickson Gault welcomed Emily Dumas as the new Troy Public Library Director. She looks forward to some new changes with the new funding.

Mayor Baker asked about the City of Troy's maternity and/or paternity policy.

Mayor Baker thanked all of the essential and frontline workers, healthcare heroes and dedicated employees.

Q. CLOSED SESSION

Q-1 No Closed Session Requested

R. ADJOURNMENT:

The Meeting **ADJOURNED** at 9:58 PM.

Mayor Ethan Baker

M. Aileen Dickson, MMC, MiPMC II
City Clerk

2021 SCHEDULED SPECIAL CITY COUNCIL MEETINGS:

March 10, 2021Special Joint City Council and Global Troy Advisory Committee
March 23, 2021Personnel Evaluations
April 19, 2021Budget Discussions
April 22, 2021Budget Discussions

2021 SCHEDULED REGULAR CITY COUNCIL MEETINGS:

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

**PROCLAMATION
BICENTENNIAL OF GREEK INDEPENDENCE DAY
MARCH 25, 2021**

WHEREAS, March 25, 2021 marks the Bicentennial of Greece's Independence from the suppressing rule of the Ottoman Empire. For 400 years, the Greeks were not allowed to teach about their venerable heritage, practice religion or even speak their native Greek language; and

WHEREAS, When the Greek people had enough, they declared independence and fought a terrible and bloody war. No one was exempt; men, women and children were all needed to fight the outnumbering enemy. Finally, after eight-plus years of horrific fighting, on September 25, 1829, the war ended with Greece being victorious. Greece, the birthplace of Democracy, was once again a free country; and

WHEREAS, The people of ancient Greece developed the concept of democracy, in which the supreme power to govern was vested in the people; and

WHEREAS, The City of Troy is home to close to 1,000 proud Greeks and the home of St. Nicholas Greek Orthodox Church where they celebrate OPA Fest each June; and

WHEREAS, The City of Troy has Greek roots in its name. The ancient City of Troy, existing over 4,000 years ago, was attacked and conquered by the Greeks after they gained access to the city by means of the Trojan Horse, as described in Homer's classic novel, "The Iliad." It is an honor that the City of Troy is named after this epic Greek battle, and that we can celebrate 2021 as Greece's Bicentennial;

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Troy does hereby celebrate **March 25, 2021 as the Bicentennial of Greek Independence Day** in the City of Troy and urges all citizens to join us in recognizing this day as we celebrate with our Greek neighbors and friends on Greece gaining its independence; and

BE IT FURTHER RESOLVED, That the City Council urges all residents to commemorate the **Bicentennial of Greek Independence Day** and expresses support for the principles of democratic governance to which the people of Greece are committed; and commends the Greek-American community for its contributions to the United States and its role as a bridge between the two countries.

Presented the 22nd day of March 2021.



500 West Big Beaver
Troy, MI 48084
troymi.gov

J-04a

CITY COUNCIL AGENDA ITEM

Date: March 8, 2021

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
Rob Maleszyk, Chief Financial Officer
Lisa Burnham, Controller
Brian Goul, Interim Recreation Director
Kurt Bovensiepe, Public Works Director
Dennis Trantham, Facilities and Grounds Operations Manager
Emily Frontera, Purchasing Manager

Subject: Standard Purchasing Resolution 4 – Oakland County Purchasing Cooperative – Troy Family Aquatic Center Hot Water System Replacement.

History

- The domestic hot water boiler, tank and circulation pumps at the Troy Family Aquatic Center were installed in 1991.
- Replacement of this unit was identified in the Facilities Condition Assessment and Analysis.
- The replacement was planned and budgeted for FY21.
- The recommended replacement is a tankless hot water system.
- The tankless hot water system is projected to use 40% less energy than its equivalent boiler/storage tank application.

Purchasing

- Pricing for the Tankless Hot Water System has been secured from *Limbach Inc. of Pontiac, MI* through the Oakland County Cooperative Contract #005013.
- City Council authorized participation in the Cooperative Purchasing Programs on November 9, 2020 (Resolution #2020-11-165-J-8).

Financial

Funds for this purchase are available in the Troy Family Aquatic Center Capital Fund account number 587.789.7975.900 Project# 2021C0124 for \$75,000 and the remaining funds will be transferred from Troy Family Aquatic Center Capital Fund account number 587.789.7978.010 from available funds in Project# 2021C0125 for \$22,075.

Recommendation

City management recommends awarding a contract to *Limbach Inc. of Pontiac, MI* for the installation of a tankless hot water system at the Troy Family Aquatic Center for an estimated total cost of \$88,250 with a 10% contingency for a not to exceed amount of \$97,075, as detailed in the attached quote and as per the Oakland County Purchasing Cooperative Contract #005013.

**City of Troy - Community Center
3179 Livernois Road,
Troy, MI 48083**

February 10, 2021

Project: (1) Domestic Boiler Replacement - Budget

Limbach Co. is pleased to provide you with a proposal for the following specific scope of work, qualifications, and exclusions:

Scope of Work:

This proposal is based on the following scope of work:

Provide all necessary tools, equipment, materials and labor to perform the following:

- Isolate the existing unit from power, gas and water.
- Disconnect the existing boiler from the existing connections.
- Remove the existing venting for the boiler.
- Remove the existing (1) boiler and install (1) Intellihot domestic water heater.
 - Provides 20.2 GPM at 70 degree fahrenheit rise
- Provide and install the new venting through the roof for the unit.
 - Roofing to be performed by a subcontractor.
- Field fabricate piping to match the existing connections to the new boiler.
- Field fabricate gas piping to match the existing to the new boiler.
- Reconnect the existing electrical to the new boiler.
- Route the condensate drain to the nearest floor drain.
- Return water to the system and check for leaks.
- Return system to operation and verify operation of unit.
- Dispose of all failed components.

Also Included

- All hoisting and rigging
- Deliveries
- Test, Check & Start for proper operations
- **Insulation**
- **Roofing**

Qualifications

1. It is assumed that all additional existing equipment, controls, and piping, isolation valves, ductwork, and other systems are in proper working condition and do not require repair, replacement or rehabilitation.
2. Owner to facilitate adequate access to the building during the installation.
3. All work to be performed using Union personnel.
4. Limbach's proposal is subject to a thorough review of scope, price, and schedule; and to mutually agreeable terms and conditions of the contract.
5. **This proposal is based on re-using the existing gas line.**

926 FEATHERSTONE ROAD
PONTIAC, MI 48342

P: 248-391-1411 | F: 248-975-5860 | limbachinc.com

LIMBACH IS AN EQUAL OPPORTUNITY EMPLOYER



MECHANICAL



ELECTRICAL



PLUMBING



CONTROLS

Exclusions: *(Other than stated in the above scope of work)*

1. Removal or relocation of conflicting services, utilities, lights, or sprinklers.
2. Other repairs needed that are found on the existing system during the installation.
3. Temporary utilities or HVAC.
4. Permit/Permit fees – available upon request
5. Diagnostic Service Call
6. **Electrical Upgrades**
7. **Engineered Drawings**

Total Investment for the above scope of work -Budget \$88,250.00



Limbach has partnered with a strategic third-party financing firm to better support our customers needs and mechanical goals. You now have the option of utilizing this financing vehicle to implement the correct solution while maintaining your cash reserves. If you select to use this option, Limbach receives nothing except the privilege of executing the stated work. [Click here or scan the QR code](#) to see if financing is an option for you.





Proposal #: KB020421C

This proposal is valid for 30 days from the date listed above. ALL labor is to be performed during normal business hours of Monday - Friday 7:00 am to 3:30 pm, unless specifically noted in this contract. Upon execution as provided below, this agreement, including the following pages attached hereto (collectively the "Agreement"), shall become a binding and enforceable agreement against both parties hereto. Customer, by execution of this Agreement, acknowledges that it has reviewed and understands the attached terms and conditions and has the authority to enter into this Agreement.

A handwritten signature in black ink that reads 'Kyle Bradley'.

Respectfully submitted,

Kyle Bradley
Associate Service Sales Representative
(248) 866-2379
kyle.bradley@limbachinc.com

Approved by:

Signature

Date

Print Name

926 FEATHERSTONE ROAD
PONTIAC, MI 48342

P: 248-391-1411 | F: 248-975-5860 | limbachinc.com

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CONTROLS

ENGINEERING

CONSTRUCTION

SERVICE

PROJECT AGREEMENT TERMS AND CONDITIONS**pg. 1 of 2**

The following terms and conditions are incorporated into and made a part of the agreement between Contractor and Customer (the "Agreement"):

1. Customer shall permit Contractor free and timely access to areas and equipment, and allow Contractor to start and stop the equipment as necessary to perform required services. All planned work under this Agreement will be performed during the Contractor's normal working hours. Customer will provide to Contractor reasonable means of access to the equipment, including removal, replacement, or refinishing of the building structure required.
2. Contractor shall repair or replace any of the Work performed by Contractor or its subcontractors which is proven to be defective in quality of material or workmanship within one (1) year from the date of beneficial use by the Customer, or from the date of acceptance, whichever is the earlier, provided Contractor has been given prompt, written notice of any such defects. If any replacement part or item of equipment proves defective, Contractor will extend to Customer the benefits of any warranty Contractor has received from the manufacturer. Removal and reinstallation of any equipment or materials repaired or replaced under a manufacturer's warranty will be at Customer's expense and at the rates in effect. CONTRACTOR MAKES NO OTHER WARRANTIES, EXCEPT AS DESCRIBED HEREIN, AND EXPRESSLY DISCLAIMS ALL OTHER WARRANTIES WHETHER EXPRESS, IMPLIED OR STATUTORY, INCLUDING THE WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.
3. Customer will promptly pay 50% of the proposal at the time of execution with the remaining balance due at project completion. Should a payment become thirty (30) days or more delinquent, Contractor may stop all work under this Agreement without notice and/or cancel this Agreement. In addition, if Contractor does not receive payment of a properly submitted invoice within thirty (30) days, Customer shall pay a late charge on the balance outstanding at the lesser of (a) 1 ½% per month or (b) the highest rate allowed by law, in each case compounded monthly to the extent allowed by law.
4. If at the time the order is placed, the cost of raw materials should exceed 5% over the original estimate, the additional cost will be added to the total investment price.
5. Customer shall be responsible for all taxes applicable to the services and/or materials hereunder. The amount of any taxes for which Contractor may become liable for or in connection with its performance under this Agreement shall be in addition to the amount of the Agreement.
6. In the event Customer requests that Contractor perform work beyond the Scope of this Agreement, the cost of materials and labor will become an extra charge (fixed price amount to be negotiated or performed by Contractor on a time-and-material basis at Contractor's rates then in effect.)
7. In the event that Contractor must commence any action against Customer to recover amounts due hereunder, Customer shall reimburse Contractor for its attorney's fees and court costs associated with such action.
8. In the event of a breach by Contractor of the terms of this Agreement, or in the event Customer incurs any liability in connection with the performance of the Work by Contractor, Customer's sole and exclusive remedy against Contractor shall be for Contractor to repair or replace the Work in accordance with the warranty or, if such Work cannot be repaired or replaced, to refund to Customer the amount paid to Contractor under this Agreement, not to exceed Customer's direct damages caused by such breach or liability. Notwithstanding the foregoing, in no event shall the liability of Contractor in connection with the Work, whether by reason of breach of contract, tort (including negligence), statute or otherwise exceed the amount paid by Customer to Contractor for the Work. UNDER NO CIRCUMSTANCES, WHETHER ARISING IN CONTRACT, TORT (INCLUDING NEGLIGENCE), EQUITY, OR OTHERWISE, WILL CONTRACTOR BE RESPONSIBLE OR LIABLE FOR DAMAGES ARISING FROM LOSS OF USE, LOSS OF BUSINESS AND/OR PROFIT, INCREASED OPERATING OR MAINTENANCE EXPENSE, CLAIMS OF CUSTOMER'S CLIENTS OR TENANTS, OR ANY SPECIAL, INDIRECT, CONSEQUENTIAL, PUNITIVE, OR EXEMPLARY DAMAGES, ARISING OUT OF ITS PERFORMANCE UNDER THIS AGREEMENT, EVEN IF CONTRACTOR HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. Any action against the Contractor relating to this Agreement, or the breach thereof, must be commenced within one (1) year from the date of the work.
9. Contractor shall not be liable for any delay, loss, damage or detention caused by acts or circumstances beyond its control including, without limitation, unavailability of labor, machinery, equipment or materials, delay of carriers, strikes, including those by Contractor's employees, lockouts, civil or military authority, priority regulations, insurrection or riot, war, acts of terrorism, action of the elements, forces of nature, or by any cause beyond its control.

PROJECT AGREEMENT TERMS AND CONDITIONS**pg. 2 of 2**

10. Contractor shall not be liable for any claim, damage, loss, or expense nor for injuries to persons, or damage to property. To the fullest extent permitted by law, Customer shall indemnify and hold harmless Contractor, its agents and employees from and against all claims, liabilities, damages, losses and expenses (including but not limited to attorneys' fees) arising out of or resulting from the performance of work hereunder or any act or omission arising out of or related to this Agreement, provided that such claim, damage, loss or expense is caused in whole or in part by an active or passive act or omission of Customer, anyone directly or indirectly employed by Customer, or anyone for whose acts Customer may be liable, regardless of whether it is caused in part by the negligence of Contractor.

11. Customer shall make available to Contractor's personnel all pertinent Material Safety Data Sheets (MSDS) pursuant to OSHA's Hazard Communication Standard Regulations.

Contractor's obligation under this proposal and any subsequent contract does not include the disposal of used oil and/or refrigerant (contaminated or otherwise). Customer shall be solely responsible for the proper disposal of all oil and/or refrigerant in accordance with the applicable laws, rules and regulations.

12. Contractor's obligation under this proposal and any subsequent contract does not include the identification, abatement or removal of asbestos, mold or any other toxic or hazardous substances, hazardous wastes or hazardous materials. In the event such substances, wastes and materials are encountered, Contractor shall have the right thereafter to suspend its work until such substances, wastes or materials and the resultant hazards are removed. The time for completion of the work shall be extended to the extent caused by the suspension and the Agreement price equitably adjusted. Customer shall defend, indemnify, and hold harmless Contractor for any claims, liabilities, damages, losses and expenses related to such substances, wastes and materials, including the failure to identify or notify Customer of such substances, wastes and materials.

Contractor expressly disclaims any and all responsibility and liability for the indoor air quality of the Customer's facility, including without limitation, injury or illness to occupants of the facility or third parties, or any damage to the Customer's facility, arising out of or in connection with Contractor's work under this Agreement, including without limitation any illness, injury, or damage resulting in any manner from any fungus(es) or spore(s), any substance, vapor or gas produced by or arising out of any fungus(es) or spore(s), or any material, product, building component or structure that contains, harbors, nurtures or acts as a medium for any fungus(es) or spore(s).

13. In the event that Customer cancels or terminates this Agreement for any reason, other than a material breach by Contractor, Customer shall pay Contractor for all Services performed through the date of termination, plus cancellation charges and reasonable overhead and profit.

14. This Agreement, including the Terms and Conditions, constitutes the entire agreement and understanding among the parties hereto and supersedes any and all prior agreements and understandings, oral or written, relating to the subject matter hereof and can be amended only by an agreement, in writing, signed by all parties hereto. This Agreement shall not be assignable by Customer without the express prior written consent of Contractor. This Agreement shall be governed by and construed in accordance with the laws of the State where the Work is performed, without giving effect to that State's conflicts of laws principles.

- - - END OF TERMS AND CONDITIONS - - -



500 West Big Beaver
Troy, MI 48084
troymi.gov

J-04b

CITY COUNCIL AGENDA ITEM

Date: March 3, 2021

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
Lisa Burnham, Controller
Frank Nastasi, Chief of Police
Emily Frontera, Purchasing Manager

Subject: Standard Purchasing Resolution 2 – Award to Low Bidder Meeting Specifications – Patrol Rifle – Police Department

History

- Patrol rifles have become the standard in law enforcement for situations requiring a response to critical incidents such as active shooters.
- Properly equipped patrol rifles are tactically superior in regards to accuracy and ammunition capability.
- The rifles currently in service are equipped with the minimum basic accessories including factory installed iron sights and only a few have mounted light systems.
- Currently the Troy Police Department has equipped their officers since 2007.
- The rifles are pool weapons which are shared by all officers.
- Troy Police Department currently has (56) Smith & Wesson M&P15 rifles assigned to the Operations Division which are approximately 15 years old and have reached their end of life.
- Troy Police Department is looking to purchase (45) new rifles and trade-in the (56) 15-year-old rifles. Downsized due to the departments individual rifle purchase program.

Purchasing

On February 18, 2021 a bid opening was conducted as required by City Charter/Code and bid proposals were received at the City's request from firms interested in providing Patrol Rifles for the City of Troy Police Department. Companies were notified via the Michigan Intergovernmental Trade Network (MITN); www.mitn.info. 66 vendors were notified via the MITN website. Three (3) bid responses were received. Below is a detailed summary of the vendor responses.

Companies notified via MITN	66
Troy Companies notified via MITN	1
Troy Companies notified Active email Notification	1
Troy Companies - Active Free	0
Companies that viewed the bid	15
Troy Companies that viewed the bid	0

MITN provides a resourceful online platform to streamline the procurement process, reduce costs, and make it easier and more transparent for vendors to do business with the City of Troy.

Active MITN members with a current membership and paying annual dues receive automatic electronic notification which allows instant access to Bids, RFPS and Quote opportunities with the City.

Active MITN non-paying members are responsible to monitor and check the MITN website for opportunities to do business with the City.

Inactive MITN member status can occur when a company does not renew their account upon expiration. Inactive members cannot be notified of solicitations or access any bid information.



500 West Big Beaver
Troy, MI 48084
troymi.gov

CITY COUNCIL AGENDA ITEM

Purchasing (continued)

- *Michigan Police Equipment Company of Charlotte, MI is the low bidder meeting specifications for the FN 15 SRP G2 Tactical Rifle and attachments in the amount of \$75,439.80.*
- *Michigan Police Equipment Company also offered the most advantageous trade in value for the Department's current Smith & Wesson M&P15 Rifles for an estimated total of \$27,160.00, contingent on the condition of the rifles traded in.*
- *The difference between the estimated bid prices and the estimated trade-in value is \$48,279.80.*
- *A detailed description of value, weapons specifications, and quantities are detailed in the attached bid tab summary.*

Financial

Funds are budgeted and available in the Police Department Forfeiture Account for the 2021 fiscal year.

Recommendation

City Management recommends awarding a contract to the low bidder meeting specifications *Michigan Police Equipment Company of Charlotte, MI* to supply the Police Department with the Patrol Rifles and Attachments for an estimated total amount of \$75,439.80, less estimated trade-in value of \$27,160.00 for an estimated total final cost of \$48,279.80.

VENDOR NAME: CITY: CHECK NUMBER: CHECK AMOUNT:		Michigan Police Equipment Company		Kiesler Police Supply		CMP Distributors, Inc.		
		Charlotte, MI		Jeffersonville, IN		Lansing, MI		
		66723		34290536		1539568		
		\$4,000.00		\$4,000.00		\$4,000.00		
PROPOSAL: To furnish NEW PATROL RIFLES FOR THE TROY POLICE DEPARTMENT								
PROPOSAL A: RIFLES								
DESCRIPTION		QUANTITY	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
FN 15 SRP G2 Tactical Rifle		45	\$795.00	\$35,775.00	\$795.27	\$35,787.15	\$911.68	\$41,025.60
TOTAL COST:			\$35,775.00		\$35,787.15		\$41,025.60	
PROPOSAL B: ATTACHMENTS								
DESCRIPTION		QUANTITY	UNIT PRICE	EXTESION	UNIT PRICE	EXTESION	UNIT PRICE	EXTESION
Sure Fire M600 Scout Light		45	\$217.00	\$9,765.00	\$219.63	\$9,883.35	\$217.75	\$9,798.75
Sure Fire dual switch tailcap assy		45	\$117.00	\$5,265.00	\$131.82	\$5,931.90	\$145.38	\$6,542.10
Magpul M-Lok, Cantilever rail light MRA		45	\$26.20	\$1,179.00	\$10.09	\$454.05	\$27.95	\$1,257.75
Magpul Ambidextrous sling attach point		45	\$21.24	\$955.80	\$18.50	\$832.50	\$21.95	\$987.75
Savvy sniper quad qd with hidden black Sling (ambidextrous)		45	\$55.50	\$2,497.50	\$66.13	\$2,975.85	\$74.50	\$3,352.50
Ambidextrous Mag Release		45	\$38.00	\$1,710.00	\$39.96	\$1,798.20	\$49.68	\$2,235.60
Ambidextrous Safety selector assembly		45	\$33.00	\$1,485.00	\$63.00	\$2,835.00	\$37.53	\$1,688.85
Trijicon MRO 2.0 adjustable Red-Dot Sight with full co witness mount		45	\$373.50	\$16,807.50	\$400.68	\$18,030.60	\$414.49	\$18,652.05
TOTAL COST:			\$39,664.80		\$42,741.45		\$44,515.35	
PROPOSAL C: TRADE IN FOR RIFLES - State TRADE-IN VALUE at current market value for current department M&P15 Weapons. Quantities are estimates and may vary.								
MODEL #		QUANTITY	Trade-In Unit Value	Total Trade-In Value	Trade-In Unit Value	Total Trade-In Value	Trade-In Unit Value	Total Trade-In Value
Smith & Wesson M&P15 Rifle		56	\$485.00	\$27,160.00	\$300.00	\$16,800.00	\$375.00	\$21,000.00
TOTALS FOR PROPOSALS A & B:			\$75,439.80		\$78,528.60		\$85,540.95	
ESTIMATED GRAND TOTAL WITH TRADE IN VALUE:			\$48,279.80		\$61,728.60		\$64,540.95	
Contract Information: Authorized Dealer: Warranty: Descriptive Literature Provided: Name(s): Hours of Operation: 24 Hr. Phone Number: Provided References: Payment Terms: Delivery Date: Exceptions: Acknowledgement: Addendum: Forms:		Y or N	Y		Y		N	
			Full Manufacturer's Warranty		Manufacturer Warranty		Manufacturer Warranty	
		Y or N	N		Y		N	
			Sena Parks		Crystal Laasanen; Brian Califf		Catherine Parks	
			8:30AM - 5PM		8AM - 5PM		M-F 8:30AM - 5PM	
			517-322-0443; cell 313-600-7484		N/A		517-974-4276	
		Y or N	Y		Y		Y	
			Net 30 Days		Net 30		Net 30 Days	
			FN 90 days Trijicon 90-120 days Surefire, Magpul, Savvy, 30-45 days.		90-120 days		180 days ARO	
			None		None		None	
		Y or N	Y		Y		Y	
		Y or N	Y		Y		Y	
		Y or N	Y		Y		Y	

Attest:
(*Bid Opening conducted via a Go-To Meeting)
Sergeant Dan Galich

Kristine Kallek

Beth Zaccardelli

Jackie Ahlstrom

Emily Frontera
Purchasing Manager



500 West Big Beaver
Troy, MI 48084
troymi.gov

J-04c

CITY COUNCIL AGENDA ITEM

Date: March 1, 2021

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
Robert C. Maleszyk, Chief Financial Officer
Lisa Burnham, Controller
Kurt Bovensiep, Public Works Director
William J. Huotari, City Engineer

Subject: Standard Purchasing Resolution #1: Award to Low Bidder
Contract 20-06 – 2020 CIPP Program

History

The Michigan Department of Environment, Great Lakes, and Energy (EGLE) awarded the Stormwater Asset Management and Wastewater (SAW) Grant to the City of Troy on June 17th, 2014. This funding allowed the City to field inventory and rate the condition of the City's stormwater and wastewater systems.

Based on the above noted field inventory and rating of stormwater and wastewater systems, the City has identified sanitary sewers that require cleaning, repair, and rehabilitation. This contract is intended to re-line existing sanitary sewer using a trenchless technology called Cured in Place Pipe (CIPP). This is a process of re-lining sewers where an epoxy resin liner creates a completely new pipe wall inside the existing sewer. Work is anticipated to start in April 2021 and all work including restoration is to be complete by October 2021.

Purchasing

Bids were received and publicly read on February 24, 2021. The low bid of \$591,603 was submitted by Lanzo Companies, Inc., 28135 Groesbeck Highway, Roseville, MI 48066 as shown on the attached bid tab.

Work was competitively bid and publicly opened with five (5) bidders responding. The award is contingent upon submission of proper contract and bid documents, including bonds, insurance certificates and all specified requirements.

Financial

Funding for this work is available in the 2020-21 Sewer Fund.

Recommendation

It is recommended that City Council award the 2020 CIPP Program contract to Lanzo Companies, Inc., 28135 Groesbeck Highway, Roseville, MI 48066, for their low bid of \$591,603.

In addition, we are requesting authorization to approve additional work, if needed, not to exceed 15% of the original project cost due to unknown conflicts with existing underground utilities that may arise during construction.

A copy of the bid tab shall be attached to the original Minutes of this meeting.

BID TABULATION
CONTRACT 20-06
2020 CIPP Program
City of Troy
Oakland County, Michigan

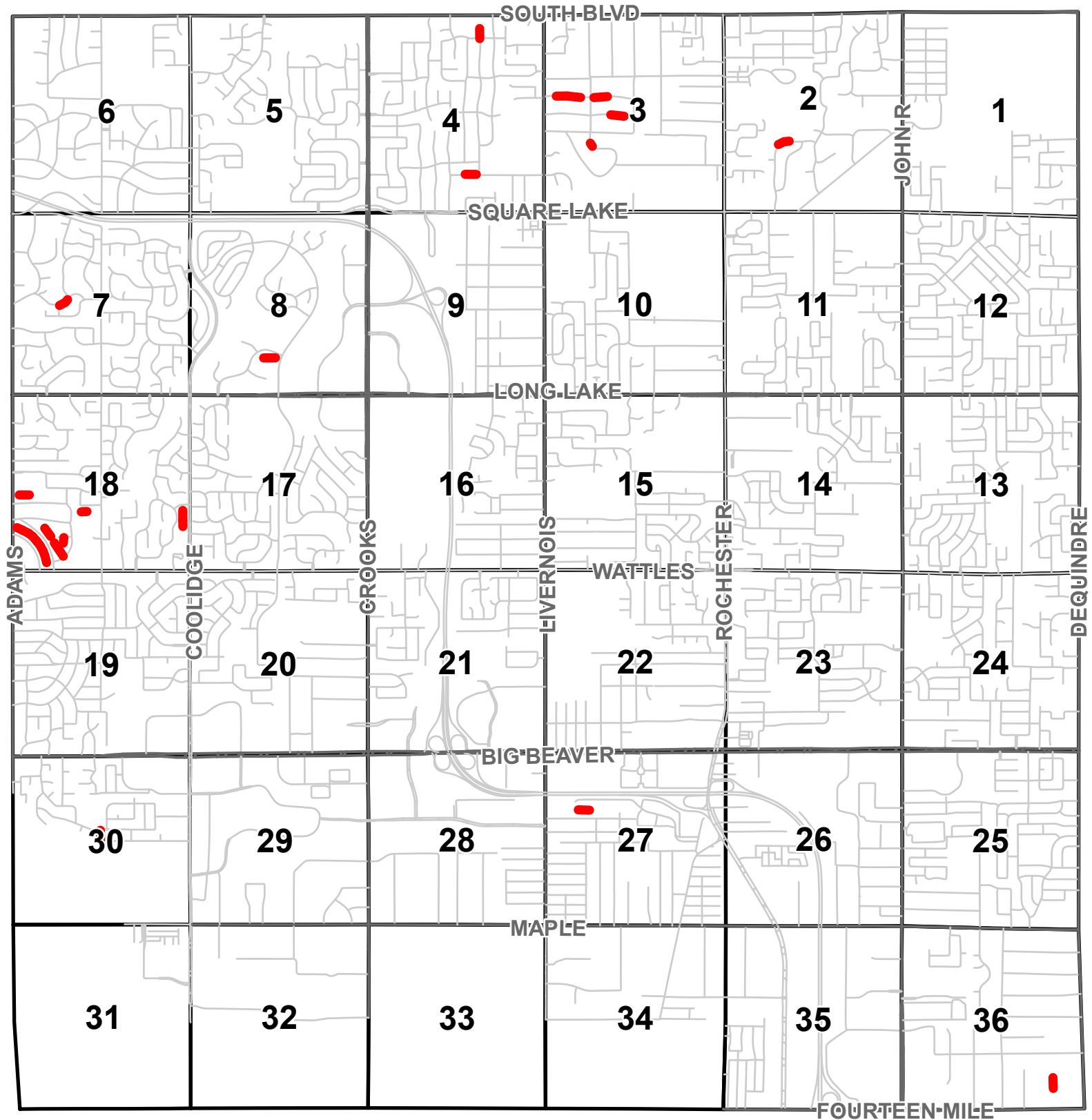
Bids Due: February 24, 2021
Project No. 16.404.5

Total Bid Amount

Lanzo Companies, Inc.	\$	591,603.00
Insituform Technologies USA LLC.	\$	596,447.60
D.V.M. Utilities Inc.	\$	603,560.00
Inland Waters Pollution Control, Inc.	\$	645,950.00 *
Corby Energy Services, Inc,	\$	1,048,490.00

* *Corrected by Bidder after Bid Opening. Bid is withdrawn.*

2020 CIPP Lining - Contract 20-06



Legend

 CIPP Lining

PROJECT LOCATION MAP



500 West Big Beaver
Troy, MI 48084
troymi.gov

J-05

CITY COUNCIL AGENDA ITEM

Date: March 8, 2021

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
Lisa Burnham, Controller
Richard Riesterer, Fire Chief
Peter Hullinger, Assistant Fire Chief
Emily Frontera, Purchasing Manager

Subject: Bid Waiver Purchase - Bullard Particulate Barrier Hoods – Sole Source Distributor

History

The Fire Department issues various safety equipment to protect the firefighters. A component of the personal protective equipment issued to each firefighter is a hood that covers a portion of their breathing mask and exposed portions of their head. It provides additional protection from heat, and acts as chemical barrier protection.

For years, the department issued each firefighter a protective hood that incorporated thermal protection capabilities only. Over the years, companies have developed materials that have allowed for the creation of hoods that now offer both thermal and particulate barrier protection. The Fire Department's safety committee, which is comprised of 2 firefighters from each station, conducted a thorough evaluation and testing of multiple hoods. Their determination is that the Bullard PBH hood offered the best protection and value for the Fire Department. The Bullard PBH hood will not only protect the firefighters from thermal exposure, but also provide a barrier from toxic, carcinogenic smoke particles that can be absorbed through the skin via the head, neck and shoulders.

Purchasing

- *Dinges Fire Company of Amboy, IL*, is the Bullard authorized dealer for Southeast Michigan.
- It is in the best interest of the City to waive the bid process and purchase two hundred (200) Bullard-PBHWML24 hoods from *Dinges Fire Company of Amboy, IL* the sole authorized distributor for Southeast Michigan, for an estimated cost of \$18,073 as detailed in the attached quote #17703.

Financial

Funds are budgeted and available in the General Fund under the Fire Department for the 2021 fiscal year. Expenditures will be charged to 101.336.338.7740.115.

Recommendation

In the best interest of the City, City management recommends waiving the bid process and awarding to *Dinges Fire Company of Amboy, IL*, the authorized Bullard dealer for Southeast Michigan, a contract to purchase two hundred (200) Bullard-PBHWML Hoods for an estimated total cost of \$18,073.



Dinges Fire Company

243 E Main St.
Amboy, IL 61310
Phone: 815.857.2000
www.DingesFire.com

Bill To:

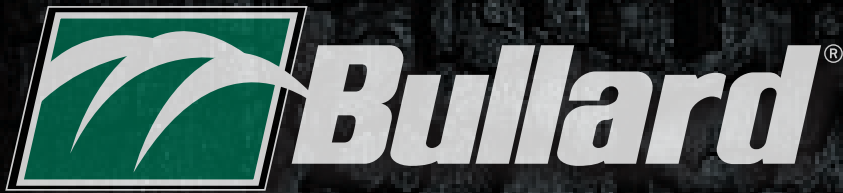
City Of Troy Fire Department (Troy,MI)
C/O: Eric Emmons
500 W Big Beaver Road
Troy, MI 48084

Ship To:

City Of Troy Fire Department (Troy,MI)
500 W Big Beaver Road
Troy, MI 48084

Quantity	Item	Description	Price	Total
200	Bullard-PBWHML24	1 Particulate Barrier Hood, Size ML	\$89.99	\$17,998.00

* Sales tax will be applied to customers who have not provided a tax exempt certificate.	Sub Total	\$17,998.00
* Quote Created on 11/25/2020 - valid for 30 Days	Shipping	\$75.00
* Shipping is an estimate, Actual Shipping will be reflected on Invoice.	Total	\$18,073.00



PBH99

Cover. Resist. Protect.

Bullard's Front-line Defense Particulate Barrier Hood

Features and Benefits

The **Bullard PBH99** is your front-line protection against the hazards you don't see, helping to block potentially carcinogenic particulates on the fire scene. Meets UL certification to NFPA 1971, 2018 edition.

COVER: Our unique seven panel design gives you a more comfortable and secure fit around the head, neck, and shoulders.

RESIST: PBH99 gives firefighters confidence that over 99% of the carcinogenic particulates found on the fire scene are being blocked, while allowing air to flow through the hood.

- Interior Trilaminate Layer: PBH99 materials are Nomex®, Lenzing, and Stedair PREVENT® for on-scene protection
- Exterior Layer: 20% Nomex, 80% Lenzing.

PROTECT: PBH99 offers firefighters a barricade to toxic carcinogenic smoke particles for protection around the head, neck, shoulders and transfers heat away from the firefighter's face.

Bullard Cares Mission portfolio of cancer mitigation products includes the Decon Cloths, Cares Kit, and now the PBH99 Hood. Learn more at: www.bullard.com/wecare.



How to Measure For Your Size Hood

Distance to measure
to determine size. Size
corresponds to chart below.

Part Number	Size	Description
PBHWML24	ML 6 3/4"	Particulate Barrier Hood, ML (Case of 10)
PBWHXL24	XL 7 1/4"	Particulate Barrier Hood, XL (Case of 10)



www.bullard.com



PBH99

We Got You Covered.



PREVENT

Blocks 99.19%* of particulates and offers an ideal balance with a Thermal Protective Performance (TPP) of 20.4 cal/cm² while maximizing the Total Heat Loss (THL) of 407.5 W/m².

THE PERFECT FIT

Heavy-Duty 1/2" elastic sewn into the face opening. Form fitting material allows for a comfortable fit and expands to hug facial features.



Two layer comfort that protects and prevents while blocking particles.

MOBILITY

Expansive range of movement - 24" in length.

COMFORT

Seven panel design gives you a more comfortable and secure fit around the head, neck, and shoulders to prevent excessive bunching.

FULL COVERAGE

Helps to protect vulnerable areas more fully, with coverage around the shoulders.



DURABILITY

Reinforced flatlock stitching.

*Particulate Blocking: Blocks 99.19% of particles from 0.1 to 1.0 µm.

Bullard Center

2421 Fortune Drive
Lexington, KY 40509 • USA
877-BULLARD (285-5273)
Tel: +1-859-234-6616
Fax: +1-859-246-0243

Americas Operations

1898 Safety Way
Cynthiana, KY 41031 • USA
877-BULLARD (285-5273)
Tel: +1-859-234-6616
Fax: +1-859-234-8987

Bullard GmbH

Dieselstrasse 8a
53424 Remagen • Germany
Tel: +49-2642 999980
Fax: +49-2642 9999829

Bullard Asia-Pacific Pte. Ltd.

LHK Building
701, Sims Drive, #04-03
Singapore 387383
Tel: +65-6745-0556
Fax: +65-6745-5176

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(0519)

www.bullard.com



500 West Big Beaver
Troy, MI 48084
troymi.gov

J-06

CITY COUNCIL AGENDA ITEM

Date: March 8, 2021

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
Lisa Burnham, Controller
Kurt Bovensiepe, Director of Public Works
Dennis Trantham, Facilities and Grounds Operations Manager
Emily Frontera, Purchasing Manager

Subject: Contract Amendment - Tree and Stump Maintenance Services

History

- On June 18, 2018, Troy City Council awarded a three (3) year contract with an option to renew for two (2) additional years with J.H. Hart Urban Forestry of *Sterling Heights, MI* for Tree and Stump Maintenance services. (Resolution #2018-06-108-J-4a)
- The current Contract includes all labor, tools, equipment, and transportation for tree maintenance services.
- These services include preventative tree trimming maintenance, tree removal, storm damage removal, and tree stump removal.
- The addition of a saw crane will be another tool in our tool box to safely address precarious tree removal.
- The saw crane will not replace current tree removal operations, rather it is designed to assist in tight and difficult geographic locations.

Financial

Funds are available in the Parks Division and Streets Division operating budgets.

Recommendation

City management recommends amending the current contract with J.H. Hart Urban Forestry of *Sterling Heights, MI* to include the following line items:

- Saw Crane without support vehicles at \$307.00/hour
- Saw Crane with support vehicles at \$405.00/hour



500 West Big Beaver
Troy, MI 48084
troymi.gov

J-07

CITY COUNCIL AGENDA ITEM

Date: February 25, 2021

To: Mark F. Miller, City Manager

From: Robert Bruner, Assistant City Manager
Robert C. Maleszyk, Chief Financial Officer
Lisa Burnham, Controller
Kurt Bovensiepe, Public Works Director
William J. Huotari, City Engineer

Subject: Addendum #1 - Contract 19-05 – Willow Grove Sanitary Sewer

History

City staff became aware that a sanitary sewer at 1808 Kirkton was directly under the attached garage because of a recent sale and inquiries made about the property. The Vermont right-of-way was vacated in November 1998 and an easement retained for public utilities. A modular home with attached garage was placed on this property in April 1999. Modular homes are inspected and approved by the State, not the City's Building department.

Recently, a field survey was performed by the city to verify property lines, building corners and the location of the sanitary sewer. In addition the sewer line was televised to assess the condition and to verify that there were no house leads connected to this section of sanitary sewer.

Staff determined the best long term solution was to relocate the sanitary sewer. TR Pieprzak is currently under contract having just completed the Willow Grove and Square Lake road sanitary sewer extensions. Based on TR Pieprzak's experience and quality of work last year, they were asked to extend their unit prices and provide unit prices to complete the sanitary sewer relocation at 1808 Kirkton. The relocation, if approved, would be done this spring.

Financial

Funds for this work are available in the 2020/2021 Sewer Fund, including funds for inspection, testing, and contingencies.

Recommendation

It is recommended that City Council approve Addendum #1 for additional work by T.R. Pieprzak Co., Inc., 6267 St. Clair Hwy., China Township, MI 48054, for \$81,076.10.

In addition, we are requesting authorization to approve additional work, if needed, not to exceed 20% of the original project cost due to unknown conflicts with existing underground utilities that may arise during construction.

A copy of the addendum and recommendation shall be attached to the original Minutes of this meeting.



2/10/2020

Anderson, Eckstein and Westrick, Inc.
51301 Schoenherr Road
Shelby Township, MI 48315

Attn: Taylor Sting

Kirkton Sanitary Sewer Reroute

Sanitary	Quantities
Bonds, Insurance & Mobilization (\$40,000 Max)	1 ls
Abandon Sewer	230 ft
Sanitary Manhole, 48 inch dia over existing pipe	2 ea
Sanitary Manhole, 48 inch dia	1 ea
Sanitary Manhole, Cover	3 ea
Sanitary Sewer, PVC Composite Truss, 12 inch, Tr Det B	230 ft
Pavt, Rem	70 syd
Station Grading	0.3 sta
Post, Mailbox	1 ea
HMA 13A, 1.5 inch	6 ton
HMA 3C, 3 inch	12 ton
Aggregate Base, 10 inch	70 syd
Seed, Mulch Fertilizer	950 syd
Topsoil Surface, Furn, 4 inch	950 syd
Traffic Control and Maintenance	1 ls
Sanitary Sewer Pipe Testing	230 ft
REMOVE FENCE	1 LS

TOTAL OF ITEMS ABOVE

\$ 81,076.10

6267 St. Clair Hwy
China Township, MI 48054

Phone: 810-329-4027
Fax: 810-329-6359
Email: trpieprzak@comcast.net





CITY COUNCIL AGENDA ITEM

Date: March 2, 2021

To: Mayor and Troy City Council Members

From: Lori Grigg Bluhm, City Attorney
Julie Quinlan Dufrane, Assistant City Attorney

Subject: Steven Gillman v. City of Troy

The City has been served with the attached lawsuit, alleging that the City violated the Freedom of Information Act. Plaintiff Gillman's November 2020 Freedom of Information Act request was denied, citing the pending investigation exemption. A very similar request from another attorney was similarly recently denied, since as of today's date, there is still a pending investigation.

Mr. Gillman is seeking punitive damages in addition to a release of the requested information. The case has been assigned to Oakland County Circuit Court Judge Daniel P. O'Brien. A proposed resolution, authorizing our office to defend the City's interests in this matter is included in the agenda packet for your consideration.

This case has been designated as an eFiling case. To review a

copy of the Notice of Mandatory eFiling Visit

2nd copy - Plaintiff

3rd copy - Return

Approved, SCAO

1st copy - Defendant

www.oakgov.com/efiling

STATE OF MICHIGAN

JUDICIAL DISTRICT

JUDICIAL CIRCUIT

COUNTY PROBATE

6th

SUMMONS

CASE NO.

2021-185850-CZ

Court address

1200 N Telegraph Rd, Pontiac, MI 48340

Court telephone no.

Plaintiff's name(s), address(es), and telephone no(s).

STEVEN GILLMAN, Individually and as Personal Representative of the Estate of Megan Ann Miller, Deceased

Defendant's name(s), address(es), and telephone no(s).

City of Troy

v

Plaintiff's attorney, bar no., address, and telephone no.

David Shiener (P78608)
Johnson Law, PLC
535 Griswold, Suite 2632
313-324-8300

Instructions: Check the items below that apply to you and provide any required information. Submit this form to the court clerk along with your complaint and, if necessary, a case inventory addendum (form MC 21). The summons section will be completed by the court clerk.

Domestic Relations Case

- ☐ There are no pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.
- ☐ There is one or more pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint. I have separately filed a completed confidential case inventory (form MC 21) listing those cases.
- ☐ It is unknown if there are pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.

Civil Case

- ☐ This is a business case in which all or part of the action includes a business or commercial dispute under MCL 600.8035.
- ☐ MDHHS and a contracted health plan may have a right to recover expenses in this case. I certify that notice and a copy of the complaint will be provided to MDHHS and (if applicable) the contracted health plan in accordance with MCL 400.106(4).
- ☒ There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.
- ☐ A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has

been previously filed in ☐ this court, ☐ _____ Court, where

it was given case number _____ and assigned to Judge _____.

The action ☐ remains ☐ is no longer pending.

Summons section completed by court clerk.

SUMMONS

NOTICE TO THE DEFENDANT: In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons and a copy of the complaint to **file a written answer with the court** and serve a copy on the other party **or take other lawful action with the court** (28 days if you were served by mail or you were served outside this state).
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.
4. If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

Issue date
2/10/2021

Expiration date
05/12/2021

Court clerk
Lisa Brown

*This summons is invalid unless served on or before its expiration date. This document must be sealed by the seal of the court.

PROOF OF SERVICE**SUMMONS**

Case No. 2021-185850-CZ

TO PROCESS SERVER: You are to serve the summons and complaint not later than 91 days from the date of filing or the date of expiration on the order for second summons. You must make and file your return with the court clerk. If you are unable to complete service you must return this original and all copies to the court clerk.

CERTIFICATE / AFFIDAVIT OF SERVICE / NONSERVICE☐ **OFFICER CERTIFICATE**

OR

☐ **AFFIDAVIT OF PROCESS SERVER**

I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party (MCR 2.104[A][2]), and that: (notarization not required)

Being first duly sworn, I state that I am a legally competent adult, and I am not a party or an officer of a corporate party (MCR 2.103[A]), and that: (notarization required)

- ☐ I served personally a copy of the summons and complaint,
☐ I served by registered or certified mail (copy of return receipt attached) a copy of the summons and complaint,

together with _____

List all documents served with the summons and complaint

_____ on the defendant(s):

Defendant's name	Complete address(es) of service	Day, date, time

- ☐ I have personally attempted to serve the summons and complaint, together with any attachments, on the following defendant(s) and have been unable to complete service.

Defendant's name	Complete address(es) of service	Day, date, time

I declare under the penalties of perjury that this proof of service has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Service fee	Miles traveled	Fee	
\$		\$	
Incorrect address fee	Miles traveled	Fee	TOTAL FEE
\$		\$	\$

Signature _____

Name (type or print) _____

Title _____

Subscribed and sworn to before me on _____, _____ County, Michigan.
 Date

My commission expires: _____ Date Signature: _____
 Deputy court clerk/Notary public

Notary public, State of Michigan, County of _____

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received service of the summons and complaint, together with _____ Attachments
 _____ on _____
 Day, date, time

Signature _____ on behalf of _____

This case has been designated as an eFiling case. To review a copy of the Notice of Mandatory eFiling visit www.oakgov.com/efiling.

**STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND**

STEVEN GILLMAN, *Individually and as
Personal Representative of the Estate of
Megan Ann Miller, Deceased,*

Plaintiff,

v

CITY OF TROY,

Defendant.

2021-185850-CZ

JUDGE DANIEL P. O'BRIEN

Case No. 20- -CZ
Hon.

DAVID S. SHIENER (P78608)
JOHNSON LAW, PLC
Attorneys for Plaintiff
535 Griswold, Suite 2632
Detroit, Michigan 48226
(313) 324-8300
dshiener@venjohnsonlaw.com

PLAINTIFF'S COMPLAINT

The undersigned hereby certifies that there is no other action pending in this Court or any other court between the same parties arising from the same transaction or occurrence, nor has such an action been dismissed after being assigned to a judge.

David S. Shiener
DAVID S. SHIENER

'21 FEB 19 PM 4:27

FILED Received for Filing Oakland County Clerk 1/20/2021 9:48 AM

NOW COMES Plaintiff STEVEN GILLMAN, by and through his attorneys, JOHNSON LAW, PLC, and for his Complaint against the above-named Defendant, states as follows:

PARTIES, JURISDICTION, AND VENUE

1. This is a claim brought pursuant to MCL 15.240 to compel a public body's disclosure of public records.

2. Plaintiff Steven Gillman was at all times relevant to this cause of action a resident of the City of Troy, County of Oakland, State of Michigan.

3. Plaintiff Steven Gillman was at all times relevant to this cause of action duly appointed and qualified as the Personal Representative of the Estate of Megan Ann Miller, deceased.

4. Defendant City of Troy ("Troy") was at all times relevant to this cause of action a public body with its principal place of business in the City of Troy, County of Oakland, State of Michigan.

5. Jurisdiction is proper in this Court pursuant to MCL 15.240(1)(b).

6. Venue is proper in this Court pursuant to MCL 15.240(4), which sets forth that "[v]enue for an action against a local public body is proper in the circuit court for the county in which the public record or an office of the public body is located has venue over the action."

COMMON ALLEGATIONS

7. Plaintiff re-alleges and reincorporates each and every preceding paragraph as if fully set forth herein.

8. On or around February 26, 2020, Plaintiff married Megan Ann Miller.

9. On or around July 16, 2020, Megan Ann Miller was apprehended by officers from the Troy Police Department in connection with an investigation into the death of an infant daughter that Plaintiff and Megan Ann Miller shared.

10. Upon information and belief, Megan Ann Miller was detained at the Troy Police Department after being apprehended by officers from the Troy Police Department.

11. Upon information and belief, Megan Ann Miller remained in detention at the Troy Police Department until on or about July 19, 2020.

12. Upon information and belief, Megan Ann Miller on July 19, 2020 was emergently transported from the Troy Police Department to Beaumont Hospital – Troy.

13. Megan Ann Miller was pronounced dead at approximately 4:15 p.m. at Beaumont Hospital – Troy.

14. An autopsy that was performed on July 20, 2020 revealed that Megan Ann Miller died of Fentanyl intoxication.

15. Plaintiff on November 10, 2020 was appointed and qualified as the Personal Representative of the Estate of Megan Ann Miller. (**Exhibit 1**, Letters of Authority for Personal Representative).

16. Plaintiff on December 4, 2020 sent to Defendant Troy a request for public records pursuant to the Freedom of Information Act (“FOIA”), MCL 15.231 *et seq.* (**Exhibit 2**, December 4, 2020 FOIA Request).

17. In particular, Plaintiff by the December 4, 2020 FOIA Request requested from Defendant Troy the following:

Original full and complete file of any and all inmate records pertaining to Megan Ann Miller, D.O.B. December 6, 1984, including, but not limited to, all files, file folders, memorandum, intake records, booking records, medical records, nursing notes,

progress notes, physician notes, mental health notes and probation records, as well as the complete investigation file generated with respect to the incident that occurred on or about July 16, 2020 to July 19, 2020, including but not limited to investigation record(s), reports, memorandums, Use of Force Reports, 911 computer aided dispatch printouts and audio recordings, witness statements, officer statements, photographs, drawings, diagrams, video recordings, audio recordings (including but not limited to audio recordings of all phone calls to and from the Troy Police Department and shift commander phones), security camera video recordings, scout car video recordings, officer/scout car audio recordings, dispatch audio recordings, dispatch logs (whether computerized or handwritten), EMS run sheets, medical reports, autopsy reports, notes, video/audio surveillance of the cell(s) and unit(s) that Megan Ann Miller was housed in from 12:01 a.m. on July 16, 2020 through 12:01 a.m. on July 20, 2020, all correctional officer daily logs/sheets/notes and cell checklists (whether handwritten or computerized) from 12:01 a.m. on July 16, 2020 through 12:01 a.m. on July 20, 2020 for the unit(s) in which Megan Ann Miller was housed during those time periods, and all shift commander daily logs/sheets/notes (whether handwritten or computerized) from 12:01 a.m. on July 16, 2020 through 12:01 a.m. on July 20, 2020 for the unit(s) in which Megan Ann Miller was housed during those time periods.

(Id.).

18. Fully executed authorizations for the release of confidential information regarding Megan Ann Miller were provided to Defendant Troy along with the December 4, 2020 FOIA Request. *(Id.).*

19. Defendant Troy in a response dated December 9, 2020 denied in full the December 4, 2020 FOIA Request and indicated that the basis for its denial was that the records requested contained “[i]nvestigating records compiled for law enforcement purposes[,]” and their disclosure would “[i]nterfere with law enforcement proceedings.” (**Exhibit 3**, December 9, 2020 Denial).

**COUNT I – CLAIM TO COMPEL DISCLOSURE OF PUBLIC RECORDS PURSUANT
TO MCL 15.240(1)(b)**

20. Plaintiff re-alleges and reincorporates each and every preceding paragraph as if fully set forth herein.

21. MCL 15.231(2) sets forth as follows:

It is the public policy of this state that all persons, except those persons incarcerated in state or local correctional facilities, are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and public employees, consistent with this act. The people shall be informed so that they may fully participate in the democratic process.

22. Defendant Troy is a “public body” as that term is defined under MCL 15.232(h).

23. Plaintiff’s December 4, 2020 FOIA Request was a request to receive “public record[s]” as that term is defined under MCL 15.232(i).

24. MCL 15.233(1) sets forth that “upon providing a public body’s FOIA coordinator with a written request that describes a public record sufficiently to enable the public body to find the public record, a person has a right to inspect, copy, or receive copies of the requested public record of the public body.”

25. MCL 15.235(2) sets forth as follows:

(2) Unless otherwise agreed to in writing by the person making the request, a public body shall, subject to subsection (10), respond to a request for a public record within 5 business days after the public body receives the request by doing 1 of the following:

- (a) Granting the request.
- (b) Issuing a written notice to the requesting person denying the request.
- (c) Granting the request in part and issuing a written notice to the requesting person denying the request in part.
- (d) Issuing a notice extending for not more than 10 business days the period during which the public body shall respond

to the request. A public body shall not issue more than 1 notice of extension for a particular request.

26. MCL 15.235(5) sets forth that “[a] written notice denying a request for a public record in whole or in part is a public body’s final determination to deny the request or portion of that request.”

27. MCL 15.240(1) sets forth in relevant part as follows:

- 1) If a public body makes a final determination to deny all or a portion of a request, the requesting person may do 1 of the following at his or her option:
[...]
- (b) Commence a civil action in the circuit court, or if the decision of a state public body is at issue, the court of claims, to compel the public body’s disclosure of the public records within 180 days after a public body’s final determination to deny a request.

28. Plaintiff in his December 4, 2020 FOIA Request provided to the FOIA Coordinator of Defendant Troy a written request that described a public record sufficiently to enable Defendant Troy to find the public record and he therefore has a right to receive a copy of the public records that he requested. (**Exhibit 2**, December 4, 2020 FOIA Request).

29. Defendant Troy by its correspondence dated December 9, 2020 denied in whole the December 4, 2020 FOIA Request, which constitutes a final determination to deny the December 4, 2020 FOIA Request. (**Exhibit 3**, December 9, 2020 Denial).

30. Defendant Troy has improperly withheld from disclosure the public records that Plaintiff requested by his December 4, 2020 FOIA Request, which records are nonexempt from disclosure under the Freedom of Information Act.

31. Defendant Troy cannot meet its burden to establish that each and every public record that Plaintiff requested by his December 4, 2020 FOIA Request is exempt from disclosure.

32. Defendant Troy has failed to adhere to the well-established principle that exemptions under the Freedom of Information Act must be interpreted narrowly.

33. Defendant Troy failed to separate the exempt and nonexempt public records that Plaintiff requested by his December 4, 2020 FOIA Request and failed to make the nonexempt public records available to Plaintiff, thereby improperly withholding from disclosure nonexempt public records.

34. The basis on which Defendant Troy denied Plaintiff's request for public records by his December 4, 2020 FOIA Request was conclusory and Defendant Troy failed to provide any facts to demonstrate how or why the disclosure of the public records that Plaintiff requested would interfere with law enforcement proceedings.

35. The disclosure of the public records that Plaintiff requested by his December 4, 2020 FOIA Request, in particular, those related to or arising out of Megan Ann Miller's detention at the Troy Police Department, any medical care or treatment she received at the Troy Police Department, and the circumstances necessitating her transport to Beaumont Hospital – Troy, would not interfere with or have a chilling effect on any law enforcement investigation.

WHEREFORE, Plaintiff Steven Gillman respectfully requests that this Honorable Court enter an Order compelling Defendant City of Troy to disclose the public records that Plaintiff Steven Gillman requested by his December 4, 2020 FOIA Request.

COUNT II – CLAIM FOR ATTORNEYS' FEES, COSTS, AND DISBURSEMENTS AND PUNITIVE DAMAGES

36. Plaintiff re-alleges and reincorporates each and every preceding paragraph as if fully set forth herein.

37. MCL 15.240(6) sets forth as follows:

If a person asserting the right to inspect, copy, or receive a copy of all or a portion of a public record prevails in an action commenced under this section, the court shall award reasonable attorneys' fees, costs, and disbursements. If the person or public body prevails in part, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. The award shall be assessed against the public body liable for damages under subsection (7).

38. MCL 15.240(7) sets forth as follows:

If the court determines in an action commenced under this section that the public body has arbitrarily and capriciously violated this act by refusal or delay in disclosing or providing copies of a public record, the court shall order the public body to pay a civil fine of \$1,000.00, which shall be deposited into the general fund of the state treasury. The court shall award, in addition to any actual or compensatory damages, punitive damages in the amount of \$1,000.00 to the person seeking the right to inspect or receive a copy of a public record. The damages shall not be assessed against an individual, but shall be assessed against the next succeeding public body that is not an individual and that kept or maintained the public record as part of its public function.

39. As set forth above, Plaintiff in his December 4, 2020 FOIA Request provided to the FOIA Coordinator of Defendant Troy a written request that described a public record sufficiently to enable Defendant Troy to find the public record and he therefore has a right to receive a copy of the public records that he requested. (**Exhibit 2**, December 4, 2020 FOIA Request).

40. As set forth above, Defendant Troy has improperly withheld from disclosure the public records that Plaintiff requested by his December 4, 2020 FOIA Request and that are nonexempt from disclosure under the Freedom of Information Act.

41. Plaintiff is entitled pursuant to MCL 15.240(6) an award reasonable attorneys' fees, costs, and disbursements.

42. As set forth above, Defendant Troy has arbitrarily and capriciously violated the Freedom of Information Act by its refusal and delay in disclosing or providing copies of a public record.

43. Plaintiff is entitled pursuant to MCL 15.240(7) an award of punitive damages in the amount of \$1,000.00.

WHEREFORE, Plaintiff Steven Gillman respectfully requests that this Honorable Court award attorneys' fees, costs, and disbursements, in an amount that this Honorable Court deems appropriate and just under the circumstances, along with punitive damages in the amount of \$1,000.00 pursuant to MCL 15.240(7).

Respectfully submitted,

JOHNSON LAW, PLC
Attorneys for Plaintiff

By: /s/ David S. Shiener
DAVID S. SHIENER (P78608)
535 Griswold, Suite 2632
Detroit, Michigan 48226
(313) 324-8300
dshiener@venjohnsonlaw.com

Dated: January 20, 2021

EXHIBIT 1

STATE OF MICHIGAN
PROBATE COURT
COUNTY OF OAKLANDLETTERS OF AUTHORITY FOR
PERSONAL REPRESENTATIVE

FILE NO.

2020-397,154-DE

Estate of Megan Ann Miller

Deceased

To:

Name and address
Steven Gillman
2920 Thames
Troy, MI 48083Telephone no.
313-598-9042You have been appointed and qualified as personal representative(s) of the estate on November 10, 2020

You are authorized to perform all acts authorized by law unless exceptions are specified below.

Date

☐ Your authority is limited in the following way:☐ You have no authority over the estate's real estate or ownership interests in a business entity that you identified on your acceptance of appointment.☐ Other restrictions or limitations are:☒ These letters expire: November 10, 2021

Date

*Handwritten signature*November 10, 2020

Date

Judge (formal proceedings)/Register Barbara P. Andruccioli (informal proceedings)

Bar no.

SEE NOTICE OF DUTIES ON SECOND PAGE

Attorney name (type or print)

Bar no.

Address

City, state, zip

Telephone no.

I certify that I have compared this copy with the original on file and that it is a correct copy of the original, and on this date, these letters are in full force and effect.

November 10, 2020

Date

Deputy register

Handwritten signature

Do not write below this line - For court use only

FILED November 10 2020

Deputy Register of Probate

NOTICE OF DUTIES FOR DECEASED ESTATE

FILE NO. 2020-397,154-DE

The following provisions are mandatory reporting duties specified in Michigan law and Michigan court rules and are not the only duties required of you. See MCL 700.3701 through MCL 700.3722 for other duties. Your failure to comply may result in the court suspending your powers and appointing a special fiduciary in your place. It may also result in your removal as fiduciary.

CONTINUED ADMINISTRATION: If the estate is not settled within 1 year after the first personal representative's appointment, you must file with the court and send to each interested person a notice that the estate remains under administration, specifying the reasons for the continued administration. You must give this notice within 28 days of the first anniversary of the first personal representative's appointment and all subsequent anniversaries during which the administration remains uncompleted. If such a notice is not received, an interested person may petition the court for a hearing on the necessity for continued administration or for closure of the estate. [MCL 700.3703(4), MCL 700.3951(3), MCR 5.144, MCR 5.307, MCR 5.310]

DUTY TO COMPLETE ADMINISTRATION OF ESTATE: You must complete the administration of the estate and file appropriate closing papers with the court. Failure to do so may result in personal assessment of costs. [MCR 5.310]

CHANGE OF ADDRESS: You are required to inform the court and all interested persons of any change in your address within 7 days of the change.

Additional Duties for Supervised Administration

If this is a supervised administration, in addition to the above reporting duties, you are also required to prepare and file with this court the following written reports or information.

INVENTORY: You are required to file with the probate court an inventory of the assets of the estate within 91 days of the date your letters of authority are issued or as ordered by the court. You must send a copy of the inventory to all presumptive distributees and all other interested person who request it. The inventory must list in reasonable detail all the property owned by the decedent at the time of death. Each listed item must indicate the fair market value at the time of the decedent's death and the type and amount of any encumbrance. Where the decedent's date of death is on or after March 28, 2013, the lien amount will be deducted from the value of the real property for purposes of calculating the inventory fee under MCL 600.871(2). If the value of any item has been obtained through an appraiser, the inventory should include the appraiser's name and address with the item or items appraised by that appraiser. You must also provide the name and address of each financial institution listed on your inventory at the time the inventory is presented to the court. The address for a financial institution shall be either that of the institution's main headquarters or the branch used most frequently by the personal representative. [MCL 700.3706, MCR 5.307, MCR 5.310(E)]

ACCOUNTS: You are required to file with this court once a year, either on the anniversary date that your letters of authority were issued or on another date you choose (you must notify the court of this date) or more often if the court directs, a complete itemized accounting of your administration of the estate. This itemized accounting must show in detail all income and disbursements and the remaining property, together with the form of the property. Subsequent annual and final accountings must be filed within 56 days following the close of the accounting period. When the estate is ready for closing, you are also required to file a final account with a description of property remaining in the estate. All accounts must be served on the required persons at the same time they are filed with the court, along with proof of service.

ESTATE (OR INHERITANCE) TAX INFORMATION: You are required to submit to the court proof that no estate (or inheritance) taxes are due or that the estate (or inheritance) taxes have been paid. Note: The estate may be subject to inheritance tax.

Additional Duties for Unsupervised Administration

If this is an unsupervised administration, in addition to the above reporting duties, you are also required to prepare and provide to all interested persons the following written reports or information.

INVENTORY: You are required to prepare an inventory of the assets of the estate within 91 days from the date your letters of authority are issued and to send a copy of the inventory to all presumptive distributees and all other interested persons who request it. The inventory must list in reasonable detail all the property owned by the decedent at the time of death. Each listed item must indicate the fair market value at the time of the decedent's death and the type and amount of any encumbrance. Where the decedent's date of death is on or after March 28, 2013, the lien amount will be deducted from the value of the real property for purposes of calculating the inventory fee under MCL 600.871(2). You are also required within 91 days from the date your letters of authority are issued, to submit to the court the information necessary to calculate the probate inventory fee that you must pay to the probate court. You may use the original inventory for this purpose. [MCL 700.3076, MCR 5.307]

ESTATE (OR INHERITANCE) TAX INFORMATION: You may be required to submit to the court proof that no estate (or inheritance) taxes are due or that the estate (or inheritance) taxes have been paid. Note: The estate may be subject to inheritance tax.

EXHIBIT 2



JOHNSON LAW, PLC
ATTORNEYS AND COUNSELORS

December 4, 2020

Troy Police Department
ATTN: FOIA COORDINATOR
500 W. Big Beaver Road
Troy, MI 48084

Re: Freedom of Information Act - Request for Records
All inmate records pertaining to Megan Ann Miller, D.O.B. December 6, 1984,
and all records pertaining to her detention that occurred on or about July 16,
2020 to July 19, 2020.
Our File No: 210022

Dear Sir/Madam:

Pursuant to the Michigan Freedom of Information Act, MCL 15.231 et seq., in conjunction with MCL 750.492, I hereby request the following documents:

Original full and complete file of any and all inmate records pertaining to Megan Ann Miller, D.O.B. December 6, 1984, including, but not limited to, all files, file folders, memorandum, intake records, booking records, medical records, nursing notes, progress notes, physician notes, mental health notes and probation records, as well as the complete investigation file generated with respect to the incident that occurred on or about July 16, 2020 to July 19, 2020, including but not limited to investigation record(s), reports, memorandums, Use of Force Reports, 911 computer aided dispatch printouts and audio recordings, witness statements, officer statements, photographs, drawings, diagrams, video recordings, audio recordings (including but not limited to audio recordings of all phone calls to and from the Troy Police Department and shift commander phones), security camera video recordings, scout car video recordings, officer/scout car audio recordings, dispatch audio recordings, dispatch logs (whether computerized or handwritten), EMS run sheets, medical reports, autopsy reports, notes, video/audio surveillance of the cell(s) and unit(s) that Megan Ann Miller was housed in from 12:01 a.m. on July 16, 2020 through 12:01 a.m. on July 20, 2020, all correctional officer daily logs/sheets/notes and cell checklists (whether handwritten or computerized) from 12:01 a.m. on July 16, 2020 through 12:01 a.m. on July 20, 2020 for the unit(s) in which Megan Ann Miller was housed during those time periods, and all shift commander daily logs/sheets/notes (whether handwritten or

DETROIT . FLINT . GRAND RAPIDS . NATIONWIDE

Buhl Building . 535 Griswold Street . Suite 2632 . Detroit, Michigan 48226
T. 313-324-8300 F. 313-324-8301 VENFIGHTS.COM

computerized) from 12:01 a.m. on July 16, 2020 through 12:01 a.m. on July 20, 2020 for the unit(s) in which Megan Ann Miller was housed during those time periods.

If for any reason you are unable or unwilling to produce such documents at this time, then consider this letter as a final request that such documents be preserved, and not destroyed, for subsequent production pursuant to subpoena, court order or other legal process.

Enclosed is a fully executed authorization for release of these records, as well as a HIPAA authorization for any medical records that you may have.

If all or any part of this request is denied, please list the specific exemptions which are being claimed to withhold information. If you determine that some portions of the requested information are exempt, I will expect, as the Act requires, that you will provide us with the non-exempt portions. I, of course, reserve the right to appeal any decision to withhold information and expect that you will list the address and office where such an appeal can be sent.

As you may know, the Michigan Freedom of Information Act permits you to reduce or waive all search and/or copying fees when release of the requested information would be in the public interest. MCL 15.234(1). I believe that this request fits that category and I, therefore, ask that you waive such fees. If this request is processed under the Privacy Act, however, I expect that no fees will be charged for locating the requested files.

The contact information of the requester and the address to which all documents should be sent are as follows:

Steven Gillman
c/o David S. Shiener
535 Griswold, Suite 2632
Detroit, Michigan 48226
(313) 324-8300
dshiener@venjohnsonlaw.com

Please note that the "requesting person" as designated in the Freedom of Information Act for purposes of this request is Steven Gillman

If you have any questions regarding this request, please contact my office and send all records and responses to this address. As provided in the Freedom of Information Act, I expect to receive a reply within five (5) working days.

JOHNSON LAW, PLC
535 Griswold Street, Suite 2632, Detroit, Michigan 48226
Telephone 313.324.8300 – Fax 313.324.8301

AUTHORIZATION FOR RELEASE OF INFORMATION

TO: City of Troy

REGARDING:

Megan Ann Miller		12-06-1984
NAME ON RECORD	SOCIAL SECURITY NUMBER	DATE OF BIRTH

I, the undersigned, hereby authorize the records custodian or the records department or the director or designee of the above named to release to Johnson Law, PLC on behalf of the requesting party any and all information requested by the accompanying subpoena or letter. I understand that this information may include but not limited to records, if any, on alcohol and drug abuse, psychology, social work, and information about HIV, AIDS, and ARC.

I, the undersigned, understand that unless I expressly direct otherwise, that (a) the custodian will make the information reasonably available for inspection and copying, or (b) the custodian will deliver to Johnson Law, PLC on behalf of the requesting party, the original information or a true and exact copy of the original information accompanied by the provided Verification Statement. I also understand that I may revoke this authorization, except to the extent action has already been taken in reliance upon this authorization, at any time by sending a written revocation to the custodian of this information.

This authorization is valid for a period of 12 months after being signed or upon occurrence of the following event that relates to me or to the purpose of intended use or disclosure of information about me:

I, the undersigned, understand that the recipient of the information provided may make further disclosure of this information that may not be subject to the protections set forth in 45 CFR Parts 160 through 164.

A photocopy of this authorization shall be considered as valid as the original.

Steven Gillman
SIGNATURE

12-4-2020
DATE

PARENT/LEGAL GUARDIAN SIGNATURE
Steven Gillman, Personal Representative of the Estate of Megan Ann Miller
PERSONAL REPRESENTATIVE (DECEASED PARTY)

DATE _____
DATE _____

**HIPAA Privacy Authorization
For Disclosure of Protected Health Information
Relevant to Litigation, Pending Claims or Intent to Sue**

Patient's Name: Megan Ann MillerAddress: _____ Date of Birth: 12-06-1984

1. I make this Authorization for the purpose of copying records in connection with a lawsuit or claim to which I am a party.

2. This authorization is directed to and applies to protected health information maintained by:
(Hospital, Physician, Medical provider, etc.) City of Troy

3. I hereby authorize the above, its director, administrative and clinical staff or assignees, medical information services and billing departments to release any and all medical records and information from my date of birth to the present unless specified otherwise, relating to my care and treatment including x-rays, photographs, electronic and digital files and any other records, unless I expressly direct or specify otherwise. I understand that medical information may include records, if any, relating to treatment for alcohol and drug abuse protected under the regulations in 42 C.F.R. Part 2; psychiatric/psychological services and social work records and any information regarding communicable diseases and infections, defined by Michigan Department of Public Health rule, which can include tuberculosis, venereal diseases, sexually transmitted diseases, acquire immunodeficiency syndrome (AIDS); human immunodeficiency virus (HIV) or ARC.

4. This information is to be released for copying purposes to: JOHNSON LAW, PLC

5. I understand that information used or disclosed pursuant to this authorization may be disclosed by the recipient and may no longer be protected by the Federal Privacy Rules.

6. This authorization shall be in force and in effect until the conclusion of the pending litigation or claim unless otherwise specified.

7. I understand that I have the right to revoke this authorization at any time. I understand that if I revoke this authorization, I must do so in writing and send it to the hospital, doctor or other custodian of medical information. I understand that the revocation will not apply to information that has already been released in response to this authorization.

8. I understand that authorizing the release of this health information is voluntary and that I need not sign this form in order to ensure health care treatment, eligibility for benefits, payment or health plan enrollment.

9. A copy of this authorization is as valid as the original.

All Pertinent Sections Of This Form Must Be Completed Before Signing

Subscribed and sworn before me this

4 day of Dec 2020Cody Pietz NotaryOakland County, MIMy commission expires 11-23-2022x Steven Gillman 12.4.2020Signature of Patient or of Personal Representative Date
Steven Gillman, Personal Representative of the Estate of Megan Ann MillerPrint Name of Patient or Personal Representative
Personal Representative of the Estate of Megan Ann Miller

Description of Personal Representative's Authority MN310 Rev510

CODY PIETZ
Notary Public, State of Michigan
County of Oakland
My Commission Expires 11-23-2022
Acting in the County of _____

EXHIBIT 3

City: Keep original and
provide copy of both sides to
requestor at no charge.

City of Troy
500 W Big Beaver Rd
Troy, MI 48084
Phone: (248) 524-3317

Denial Form

Public Summary available at: <http://troymt.gov/Government/Departments/CityClerk>

Response to FOIA Request Troy Police Records

Michigan Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, et seq.

Request No.: 562 Date Received: _____

Check if received via: ☐ Email ☐ Fax

Date of This Notice: 12/9/20

Date delivered to junk/spam folder: _____

Name	Phone
Firm/Organization	Fax
Street	Email
City	State Zip

Johnson Law

535 Griswold St Ste 2632

Detroit

MI

48226

(Please Print or Type)

Date discovered in junk/spam folder: _____

Record(s) You Requested: (Listed here or see attached copy of original request) see request(attached)

☐ Granted.

☐ Granted in part and denied in part. Portions of your request are exempt from disclosure based on provisions set forth in the Act (see comments attached to this letter.)

☒ Denied (see comments attached to this letter.)

☐ The documents you requested are enclosed.

____ There is no charge.

____ Please pay the amount of \$ _____

☐ Please pay the amount of \$ _____. Once payment is received, the documents will be mailed to you.

See notice below. Under the FOIA, Section 10 you have the right to appeal to the head of this public body or to a judicial review of the denial. Under the FOIA, Section 10a, you have the right to appeal the fee to the head of this public body.

Notice of Requestor's Right to Seek Judicial Review

You are entitled under Section 10 of the Michigan Freedom of Information Act, MCL 15.240, to appeal this denial to the City Manager or to commence an action in the Circuit Court to compel disclosure of the requested records if you believe they were wrongfully withheld from disclosure. If, after judicial review, the court determines that the City has not complied with MCL 15.235 in making this denial and orders disclosure of all or a portion of a public record, you have the right to receive attorneys' fees and damages as provided in MCL 15.240. (See back of this form for additional information on your rights.)

Signature of FOIA Coordinator: _____

Date: 12/9/20

FREEDOM OF INFORMATION ACT (EXCERPT)

Act 442 of 1976

15.240.amended Options by requesting person; appeal; actions by public body; receipt of written appeal; judicial review; civil action; venue; de novo proceeding; burden of proof; private view of public record; contempt; assignment of action or appeal for hearing, trial, or argument; attorneys' fees, costs, and disbursements; assessment of award; damages.

Sec. 10.

(1) If a public body makes a final determination to deny all or a portion of a request, the requesting person may do 1 of the following at his or her option:

(a) Submit to the head of the public body a written appeal that specifically states the word "appeal" and identifies the reason or reasons for reversal of the denial.

(b) Commence a civil action in the circuit court, or if the decision of a state public body is at issue, the court of claims, to compel the public body's disclosure of the public records within 180 days after a public body's final determination to deny a request.

(2) Within 10 business days after receiving a written appeal pursuant to subsection (1)(a), the head of a public body shall do 1 of the following:

(a) Reverse the disclosure denial.

(b) Issue a written notice to the requesting person upholding the disclosure denial.

(c) Reverse the disclosure denial in part and issue a written notice to the requesting person upholding the disclosure denial in part.

(d) Under unusual circumstances, issue a notice extending for not more than 10 business days the period during which the head of the public body shall respond to the written appeal. The head of a public body shall not issue more than 1 notice of extension for a particular written appeal.

(3) A board or commission that is the head of a public body is not considered to have received a written appeal under subsection (2) until the first regularly scheduled meeting of that board or commission following submission of the written appeal under subsection (1)(a). If the head of the public body fails to respond to a written appeal pursuant to subsection (2), or if the head of the public body upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requesting person may seek judicial review of the nondisclosure by commencing a civil action under subsection (1)(b).

(4) In an action commenced under subsection (1)(b), a court that determines a public record is not exempt from disclosure shall order the public body to cease withholding or to produce all or a portion of a public record wrongfully withheld, regardless of the location of the public record. Venue for an action against a local public body is proper in the circuit court for the county in which the public record or an office of the public body is located has venue over the action. The court shall determine the matter de novo and the burden is on the public body to sustain its denial. The court, on its own motion, may view the public record in controversy in private before reaching a decision. Failure to comply with an order of the court may be punished as contempt of court.

(5) An action commenced under this section and an appeal from an action commenced under this section shall be assigned for hearing and trial or for argument at the earliest practicable date and expedited in every way.

(6) If a person asserting the right to inspect, copy, or receive a copy of all or a portion of a public record prevails in an action commenced under this section, the court shall award reasonable attorneys' fees, costs, and disbursements. If the person or public body prevails in part, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. The award shall be assessed against the public body liable for damages under subsection (7).

(7) If the court determines in an action commenced under this section that the public body has arbitrarily and capriciously violated this act by refusal or delay in disclosing or providing copies of a public record, the court shall order the public body to pay a civil fine of \$1,000.00, which shall be deposited into the general fund of the state treasury. The court shall award, in addition to any actual or compensatory damages, punitive damages in the amount of \$1,000.00 to the person seeking the right to inspect or receive a copy of a public record. The damages shall not be assessed against an individual, but shall be assessed against the next succeeding public body that is not an individual and that kept or maintained the public record as part of its public function.

History: 1976, Act 442, Eff. Apr. 13, 1977 ;-- Am. 1978, Act 329, Imd. Eff. July 11, 1978 ;-- Am. 1996, Act 553, Eff. Mar. 31, 1997 ;-- Am. 2014, Act 563, Eff. July 1, 2015

DENIAL OF RECORDS:

Denial is based on the following provision(s) of the Freedom of Information Act. MCL 15.243, Sec. 13(1). (All that apply are checked)

- ☐ (a) Information of a personal nature where the public disclosure of the information would constitute a clearly unwarranted invasion of an individual's privacy.
- | | | |
|---|---|---|
| <input type="checkbox"/> Name(s) | <input type="checkbox"/> telephone number(s) | <input type="checkbox"/> address(es) |
| <input type="checkbox"/> physical characteristics | <input type="checkbox"/> driver license number(s) | <input type="checkbox"/> date(s) of birth |
| <input type="checkbox"/> Other _____ | | |

- ☒ (b) Investigating records compiled for law enforcement purposes, but only to the extent that disclosure would do any of the following:
- ☒ (i) Interfere with law enforcement proceedings.
 - ☐ (ii) Deprive a person of the right to a fair trial or impartial administrative adjudication.
 - ☐ (iii) Constitute an unwarranted invasion of personal privacy.
 - ☐ (iv) Disclose the identity of a confidential source, or if the record is compiled by a law enforcement agency in the course of a criminal investigation, disclose confidential information furnished only by a confidential source.
 - ☐ (v) Disclose law enforcement investigative techniques or procedures.
 - ☐ (vi) Endanger the life or physical safety of law enforcement personnel.

- ☐ (d) Records or information specifically described and exempted from disclosure by statute:

- ☐ MCL 780.758 William Van Regenmorter Crime Victim's Rights Act
- ☐ MCL 28.421b Firearms
- ☐ MCL 28.214 C.J.I.S. Policy Council Act (LEIN information)
- ☐ Statute: _____

- ☐ (l) Medical : _____

- ☐ (m) Communications and notes within a public body or between public bodies of an advisory nature to the extent that they cover other than purely factual materials and are preliminary to a final agency determination of policy or action.

- ☐ (n) Records of law enforcement communication codes, or plans for deployment of law enforcement personnel, that if disclosed would prejudice a public body's ability to protect the public safety.

- ☐ (s) Unless the public interest in disclosure outweighs the public interest in nondisclosure in the particular instance, public records of a law enforcement agency, the release of which would do any of the following:
- ☐ (i) Identify or provide a means of identifying an informant.
 - ☐ (ii) Identify or provide a means of identifying a law enforcement undercover officer or agent or a plain clothes officer as a law enforcement officer or agent.
 - ☐ (v) Disclose operation instructions for law enforcement officers or agents.
 - ☐ (vii) Endanger the life or safety of law enforcement officers or agents or their families, relatives, children, parents or those who furnish information to law enforcement departments or agencies.
 - ☐ (viii) Identify or provide a means of identifying a person as a law enforcement officer, agent, or informant.
 - ☐ (ix) Disclose personnel records of law enforcement agencies.

- ☐ (w) Information or records that would disclose the social security number of any individual.

- ☐ To the best of the department's knowledge, information, and belief, under the information provided by you or by any other description reasonably known to the department, the public records do not exist within the department.

- ☐ Based on the information you provided, we are unable to locate any records pertaining to the incident you described. Please resubmit a request with additional information. The following information, if available, is suggested.

- ☐ Specific location (i.e. city, county.)
- ☐ Troy Police incident number
- ☐ Names of those involved in the incident
- ☐ Specific dates (i.e., date of incident)
- ☐ Name of driver and their birth date or driver license number
- ☐ Date of birth

- ☐ The report you have requested has not yet been completed and filed. Please resubmit your request in 30 days.

Additional Comments:

This incident is an open, active investigation and as such, disclosure would interfere with law enforcement proceedings.



JOHNSON LAW, PLC
ATTORNEYS AND COUNSELORS

December 4, 2020

Troy Police Department
ATTN: FOIA COORDINATOR
500 W. Big Beaver Road
Troy, MI 48084

562

Re: Freedom of Information Act - Request for Records
All inmate records pertaining to Megan Ann Miller, D.O.B. December 6, 1984, and all records pertaining to her detention that occurred on or about July 16, 2020 to July 19, 2020.
Our File No: 210022

Dear Sir/Madam:

Pursuant to the Michigan Freedom of Information Act, MCL 15.231 et seq., in conjunction with MCL 750.492, I hereby request the following documents:

Original full and complete file of any and all inmate records pertaining to Megan Ann Miller, D.O.B. December 6, 1984, including, but not limited to, all files, file folders, memorandum, intake records, booking records, medical records, nursing notes, progress notes, physician notes, mental health notes and probation records, as well as the complete investigation file generated with respect to the incident that occurred on or about July 16, 2020 to July 19, 2020, including but not limited to investigation record(s), reports, memorandums, Use of Force Reports, 911 computer aided dispatch printouts and audio recordings, witness statements, officer statements, photographs, drawings, diagrams, video recordings, audio recordings (including but not limited to audio recordings of all phone calls to and from the Troy Police Department and shift commander phones), security camera video recordings, scout car video recordings, officer/scout car audio recordings, dispatch audio recordings, dispatch logs (whether computerized or handwritten), EMS run sheets, medical reports, autopsy reports, notes, video/audio surveillance of the cell(s) and unit(s) that Megan Ann Miller was housed in from 12:01 a.m. on July 16, 2020 through 12:01 a.m. on July 20, 2020, all correctional officer daily logs/sheets/notes and cell checklists (whether handwritten or computerized) from 12:01 a.m. on July 16, 2020 through 12:01 a.m. on July 20, 2020 for the unit(s) in which Megan Ann Miller was housed during those time periods, and all shift commander daily logs/sheets/notes (whether handwritten or

DETROIT . FLINT . GRAND RAPIDS . NATIONWIDE

Buhl Building . 535 Griswold Street . Suite 2632 . Detroit, Michigan 48226
T. 313-324-8300 F. 313-324-8301 VENFIGHTS.COM

computerized) from 12:01 a.m. on July 16, 2020 through 12:01 a.m. on July 20, 2020 for the unit(s) in which Megan Ann Miller was housed during those time periods.

If for any reason you are unable or unwilling to produce such documents at this time, then consider this letter as a final request that such documents be preserved, and not destroyed, for subsequent production pursuant to subpoena, court order or other legal process.

Enclosed is a fully executed authorization for release of these records, as well as a HIPAA authorization for any medical records that you may have.

If all or any part of this request is denied, please list the specific exemptions which are being claimed to withhold information. If you determine that some portions of the requested information are exempt, I will expect, as the Act requires, that you will provide us with the non-exempt portions. I, of course, reserve the right to appeal any decision to withhold information and expect that you will list the address and office where such an appeal can be sent.

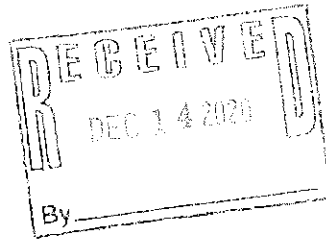
As you may know, the Michigan Freedom of Information Act permits you to reduce or waive all search and/or copying fees when release of the requested information would be in the public interest. MCL 15.234(l). I believe that this request fits that category and I, therefore, ask that you waive such fees. If this request is processed under the Privacy Act, however, I expect that no fees will be charged for locating the requested files.

The contact information of the requester and the address to which all documents should be sent are as follows:

Steven Gillman
c/o David S. Shiener
535 Griswold, Suite 2632
Detroit, Michigan 48226
(313) 324-8300
dshiener@venjohnsonlaw.com

Please note that the "requesting person" as designated in the Freedom of Information Act for purposes of this request is Steven Gillman.

If you have any questions regarding this request, please contact my office and send all records and responses to this address. As provided in the Freedom of Information Act, I expect to receive a reply within five (5) working days.



'21 FEB 19 PM 4:27

Ven
JOHNSON LAW, PLC
BUHL BUILDING
535 Griswold Street, Suite 2600
Detroit, Michigan 48226

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

CERTIFIED MAIL®



7015 1520 0001 1539 9553



US POSTAGE
\$ 08.25
First-Class
Mailed From 48226
02/10/2021
032A 0061811702

210022

~~City of Troy~~
c/o Troy City Clerk
500 W. Big Beaver Rd
Troy, MI 48084

'21 FEB 19 PM 3:47

RETURN RECEIPT ~~REQUIRED~~

PARKS AND RECREATION ADVISORY BOARD

A Meeting of the Troy Parks and Recreation Advisory Board was held Thursday, February 6, 2020 at the Troy Community Center, room 303.

Tim McGee called the meeting to order at 6:34 p.m.

Present: Julia (Judy) Baker, Tim McGee, Mike Brady, Pam Brady, Kristin Franklin, Tim Fulcher, Kelly Martin, Divya Aggarwal, Elaine Bo, Brian Goul, Kurt Bovensiep.

Absent: Laurie Huber, Divya Aggarwal

Visitors: Two High School Students attending for AP Government class.

Resolution # PR - 2020 - 2 - 001

Moved by Judy Baker

Seconded by Kelly Martin

RESOLVED, that the minutes of December 5, 2019 are approved.

Yes: 7

No: 0

MOTION CARRIED

New Business- None

Old Business

- Shall We Dance – Tim McGee
 - Met with 3 representatives of Shall We Dance on January 14, 2020
 - The representatives were told how much it costs to run.
 - This year to remain quarterly.
 - Let representatives know that they can come back with ideas.
- Parks and Recreation Master Plan – Elaine Bo
 - Sent to State of Michigan.
 - Master Plan is available online and a copy is at the front desk of the Troy Community Center.
 - Green Space was looked at by Mayor Baker and Council.
 - A lot of interest in Sylvan Glen Lake Park being updated.

Member Comments

- Judy Baker – doesn't like online registrations, or surveys. Quilting group resents that they can only respond to surveys online. Has trouble with computers and seeing things on the monitor.
- Mike Brady – Told Judy there is a man from Sharp that can help her with computer help.
- Kelly Martin – Is it possible to have a Troy resident only line at Troy Family Aquatic Center.
- Mike Brady – A gentleman asked him if we could look into a mister at the parks.
- Kelly Martin asked if we were looking into updating irrigation at Firefighters Park.

Staff Reports

Elaine Bo

- Staff is working on Budget.
- March is Senior Expo.
- Registration for Senior Garden's now resident registration starts February 11.

Brian Goul

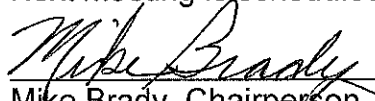
- Family Pass included Troy Community Center and Troy Family Aquatic Center for summer only.
- Floor of pool at Troy Family Aquatic Center getting remarkited .
- Troy Community Center needs new roof. \$40,000 for temporary repair \$500,000 next year to replace roof.
- Therapy pool \$12,000 to repair.
- Food policy at Troy Community Center based on Oakland County Health Department rules and guidelines. We now have 8 caterers that all rentals and groups must use.

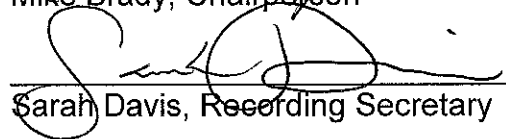
Dennis Trantham

- Oakland County's goal is to plant 20,000 Oaks. Plans are to work with Troy Nature Center to promote the facility and distribute the Oaks.

The meeting adjourned at 7:08 p.m.

Next meeting is scheduled for Thursday, April 23, 2020 at 6:30 pm.


Mike Brady, Chairperson


Sarah Davis, Recording Secretary

Parks and Recreation Advisory Board - Final

January 14, 2021

PARKS AND RECREATION ADVISORY BOARD

A Meeting of the Troy Parks and Recreation Advisory Board was held Thursday, January 14, 2021 virtually on Zoom.

Kristin Franklin called the meeting to order at 6:30 p.m.

Present: Mike Brady, Pam Brady, Kristin Franklin, Tim Fulcher, Casey Colussi, Kelly Martin, Akshitha Sahu, Elaine Bo, Brian Goul, Dennis Trantham, Kurt Bovensiepe, and Lori Bluhm.

Absent: Judy Baker, informally resigned week before meeting.

Visitors: There were no visitors.

New Business-

Election of Chairperson

- Kristin Franklin nominated Mike Brady as Chairperson. Mike accepted the nomination.

Resolution # PR - 2021 - 1 - 001

Moved by Kristin Franklin

Seconded by Pam Brady

RESOLVED, that Mike Brady is appointed as the Parks and Recreation Chairperson.

Yes: 6

No: 0

MOTION CARRIED

Election of Vice-Chairperson

- Pam Brady nominated Kelly Martin as Vice-Chairperson. Kelly accepted the nomination.

Resolution # PR - 2021 - 1 - 002

Moved by Pam Brady

Seconded by Tim Fulcher

RESOLVED, that Kelly Martin is appointed as the Parks and Recreation Vice-Chairperson.

Yes: 6

No: 0

MOTION CARRIED

Lori Bluhm, City Attorney presented information on Boards and procedures for Board members.

- Parks and Recreation Board meetings must allow for comments on virtual meetings.
- The Parks and Recreation Board must have total transparency.
- If a meeting is held at Troy Community Center, post a sign Meeting in Progress

Parks and Recreation Advisory Board - Final

January 14, 2021

- When communicating within the Board, do not use reply to all, and the Board should not be communicating as a group.
- Suggested using a separate email for Parks and Recreation Board items.
- If a person goes to an individual member outside of the Board Meeting a Board member should recommend the individual go to the Parks and Recreation Board Meeting to ask questions or express concerns.

Approval of Minutes

Resolution # PR - 2021 - 1 – 003

RESOLVED, that the minutes of February 6, 2020 are approved.

Yes: 6

No: 0

MOTION CARRIED

2021 Park and Recreation Board Meeting Dates

- Discussion on 2021 meeting dates as follows: February 18, April 15, September 16, and November 18.

Mike Brady made a motion to approve the 2021 Park Board dates, February 18, April 15, September 16, November 18.

Resolution # PR – 2021 – 1 - 004

RESOLVED, that the 2021 Park Board dates are February 18, April 15, September 16 and November 18.

Yes: 6

No: 0

- Review and Approval of Capital Project on North Parking Lot
 - Kurt Bovensiepe presented the plan for the North Parking Lot
 - \$500,000 to renovate
 - With the Library being able to open seven days there is a need to move the Farmer's Market which is held June – September from their parking lot.
 - The Farmer's Market will be held at the Community Center Pavilion until the renovations are complete.
 - Renovations to include green space, parking and bridge.
 - Skate park will have slight improvements.
 - The renovation is designed to grow.
 - Kelly Martin asked if it will be available to rent. Kurt said they haven't looked into that option at the time of the meeting.
 - Pam Brady asked if it will be handicap accessible. Kurt showed that the welcome area will be at grade and accessible.

- Kristin Franklin questioned picnic area permanency and planting of trees. Kurt explained that the design was planned to not have the picnic area be permanent so that the renovation can grow and develop further at a later date. Trees would not be planted right away. The City will see how the area is used before planting.
- Casey asked the dimensions. The area is 3.4 acres, 150,000 sq. ft.
- Casey mentioned it would be a great space for an Art Fair and to rent out.
- Tim Fulcher mentioned he likes the design being open, and asked if the bridge is in the plans to be completed initially. Kurt said it is in the scope but has to be permitted so it may take an additional six to nine months.

Resolution # PR - 2021 - 1 - 005

Moved by Pam Brady

Seconded by Tim Fulcher

RESOLVED, that the Capital Project to renovate the North Parking Lot be presented to City Council.

Yes: 6

No: 0

MOTION CARRIED

Old Business

- There was no old Business

Member Comments

- Kristin Franklin asked why we were not hiring more Parks staff.
- Dennis explained we have tried to hire staff but we have not been able to fill positions.

Staff Reports

Elaine Bo

- Recreation will be printing last Digital Guide and first printed Guide to be mailed will be in March. We were able to save money by going digital during the pandemic.
- Announced her retirement after 29 years on March 5, 2021.

Brian Goul

- The Troy Community Center has been open since September. The Fitness Center has been following the guidelines set forth by the State.
- Group fitness and badminton now allowed.
- Looking at prices to open Troy Family Aquatic Center.

Dennis Trantham

- Parks Department developed no touch cleaning of the restrooms at the parks.
- Mike Potyuk is the new Park Supervisor.
- New Arborist is Mike Guzynski.

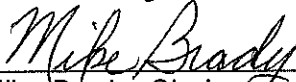
Parks and Recreation Advisory Board - Final

January 14, 2021

- New play structure being put in Jaycee Park replacing the southern structure.
- This past year restrooms were renovated.
- Boulton Park tennis courts being repaired.
- Sylvan Glenn trail is now open, and phase three of the trail system is at Jaycee Park.
- Repairs were done at the skatepark.
- The Daisy Knight Dog Park has been heavily used.

The meeting adjourned at 7:35 p.m.

Next meeting is scheduled for Thursday, February 18, 2021 at 6:30 pm.



Mike Brady, Chairperson



Shannon Louwaert, Recording Secretary



500 West Big Beaver
Troy, MI 48084
troymi.gov

O-02a

CITY COUNCIL AGENDA ITEM

Date: March 3, 2021

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager

Subject: Resident Engagement and Priority Study

On June 22, 2020, City Council awarded contracts to Cobalt Community Research ("Cobalt") for a resident benchmarking survey, business survey, and library survey. The library survey was conducted in July 2020. City staff is now working with Cobalt on the resident benchmarking survey.

City Council discussed the resident survey during its November 23, 2020 and December 7, 2020 regular meetings. The survey was revised based on input provided by City Council and was included in a report in the December 14, 2020 City Council meeting agenda packet. The final cover letter, survey, and project timeline were included in a report in the January 25, 2021 City Council meeting agenda packet.

Cobalt sent the first "wave" mailing to 2,000 randomly selected recent voters on January 28 and had received 403 responses as of February 12. Cobalt sent a second "wave" mailing during the week of February 16 to those who had not yet responded and received a total of 479 sample responses (23.95% response rate) as of March 3. This provides a margin of error of +/- 4.46% and is statistically credible. In addition, we received 259 online (non-sample) responses. These numbers may change during data entry and analysis but we are on track for results to be presented to City Council in April.



**Interim Financial Report
2nd Quarter
For The Six Months Ended
December 31, 2020**

CITY OF TROY
QUARTERLY REPORT
SIX MONTHS ENDED DECEMBER 31, 2020
HIGHLIGHTS

General Fund

Revenues

Total revenues are \$49.0 million to date and represent 75.3% of total budgeted revenues and other sources. This is an increase of \$2.8 million or 6.1% compared to the same time period in the prior year and includes recognition of total annual tax revenues of \$35.9 million. Tax revenue increased \$1.3 million or 3.7%. Grant revenue has increased primarily because of the \$4.1 million received from the State and County via the Cares Act. This increase is offset by the decreases in Charges for Services of \$1.2 million primarily in the Recreation department.

Expenditures

Total General Fund expenditures to date are \$28.8 million or 42.4% of the annual budget. Majority of departments appear to be within expected budgetary parameters to date. The Nature Center and Historic Village amounts appear higher due to the City annual contributions at the beginning of the year, however total expenditures compared with the prior year are within expectations. Recreation and Culture is significantly lower than prior year by \$0.7 million due to COVID-19 impact.

Capital Fund

Revenues

Total revenues are \$11.1 million to date and represent 66.4% of total budgeted revenues and other sources. This is equal to prior year and within expectations.

Expenditures

Expenditures for capital projects of \$7.6 million represent 38.0% of budgeted projects. This is up approximately \$0.8 million due primarily to trails and pathways and road construction this year.

Debt Service Fund

Revenues

Total revenues of \$2.0 million are down \$1.0 million or 33.0% compared to the prior year as expected due to the lower millage rate in the current year.

Expenditures

Total expenditures of \$2.8 million represent 98.8% of annual debt service requirements.

Major Streets Fund

Revenues

Total revenues of \$3.2 million represent 46.0% of total budget revenues. This is the same amount from prior year. The amounts primarily come from the act 51 appropriations (Gas and Weight Taxes). Current trends indicate that the fund will not generate budgeted amounts by the end of the fiscal year.

Expenditures

Total expenditures of \$3.6 million represent 41.5% of total budgeted expenditures. This is an increase of \$0.5 million over the prior year amount or 16.1% as expected.

Local Streets Fund

Revenues

Total revenues of \$2.0 million represent 47.5% of total budgeted revenues. This is the same amount from prior year. The amounts primarily come from the Act 51 appropriations (Gas and Weight Taxes). Current trends indicate that the fund will not generate budgeted amounts by the end of the fiscal year.

Expenditures

Total expenditures of \$1.6 million represent 37.0% of total budgeted expenditures. This is a decrease of \$0.02 million over the prior year amount or 1.0% as expected.

Aquatic Center

Revenues

Revenues don't exist due to the closure of the Aquatic Center.

Expenses

Expenses of \$219 thousand or 24.6% compared to budget are substantially lower due to the closure of the Aquatic Center.

Sanctuary Lake Golf Course

Revenues

Revenues of \$1.3 million are up \$0.2 million or 19.8% compared to the prior year for the same time period. Total year to date rounds are 30,300 representing an increase of approximately 4,867 rounds from prior year. Average revenue per round is \$43.07 compared to prior year of \$42.85.

Expenses

Total expenditures of \$1.0 million are down \$0.02 million or 2.2% compared to prior year.

As in prior years, it is not anticipated that income from operations will cover the entire debt service amount budgeted at \$856 thousand. Weather conditions can have a significant impact on financial results.

Sylvan Glen Golf Course

Revenues

Revenues of \$1.0 million are up \$0.2 million or 20.0% compared to the prior year to date amounts. Total year to date rounds are 33,741 representing an increase of approximately 5,152 rounds from the prior year. Average revenue per round is \$25.96 compared to prior year of \$24.64.

Expenses

Total expenditures of \$0.6 million are down \$0.1 million or 13.9% compared to prior year. Weather conditions can have a significant impact on financial results.

Sanitary Sewer Fund

Revenues

Sanitary Sewer fund revenues of \$8.8 million are up \$1.1 million or 15.0% from the prior year to date due primarily from consumption (sold 292,433 mcf, up 28,582 mcf or 10.8%).

Expenses

Sewer fund expenses of \$8.1 million are down \$1.0 million from the prior year to date due primary to capital purchase decreases.

Water Fund

Revenues

Water fund revenues of \$13.0 million are up \$1.6 million or 14.0% primarily due to an increase in consumption (sold 292,433 mcf, up 28,582 mcf or 10.8%). Weather patterns can have a significant impact on consumption over the summer months.

Expenses

Water fund total expenses of \$12.3 million are down \$0.4 million. The decrease is primarily due to an decrease in capital purchases.

**Quarterly Financial Report
Aquatic Center Fund
For the Period Ending December 31, 2020**

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
Aquatic Center Fund Revenues							
CHARGES FOR SERVICES	300,916	588,000	344,404		590,000	-5,078	
INTEREST & RENT	10,554	8,500	5,973		26,800	496	
OTHER REVENUE	30	0	82		0	0	
	311,500	596,500	350,459	58.75	616,800	-4,582	-0.74
Aquatic Center Fund Expenditures							
Aquatic Center	516,849	637,930	380,439		891,170	219,472	
Capital	0	100,000	0		327,000	134,771	
Operations	516,849	537,930	380,439		564,170	84,702	
	516,849	637,930	380,439	59.64	891,170	219,472	24.63

**Quarterly Financial Report
Capital Fund
For the Period Ending December 31, 2020**

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
Capital Fund Revenues							
TAXES	6,908,413	6,927,000	6,919,706		7,172,751	6,942,510	
GRANTS	96,916	160,000	11,777		160,000	93,154	
CONTRIBUTIONS FROM LOCAL UNITS	0	570,000	0		620,000	202,237	
CHARGES FOR SERVICES	296,914	326,000	157,901		326,000	72,746	
INTEREST & RENT	354,130	11,600	91,506		11,600	76,813	
OTHER REVENUE	387,577	83,000	23,408		30,000	9,637	
OTHER FINANCING SOURCES	7,551,452	7,670,360	3,931,878		8,459,000	3,750,000	
	15,595,401	15,747,960	11,136,176	70.72	16,779,351	11,147,096	66.43
Capital Fund Expenditures							
Capital Outlay	11,868,560	15,860,660	6,781,669		19,948,429	7,575,297	
City Buildings	1,114,094	1,671,290	939,473		652,790	45,639	
Council/Executive Administration	265,305	315,000	265,305		209,500	114,834	
Engineering	0	0	0		30,000	0	
Finance	-1,312	5,000	-107		5,000	-152	
Fire	887,879	1,392,600	884,879		778,575	384,547	
Historic Village	374,210	830,000	37,495		782,260	363,615	
Library	1,814,277	2,017,360	1,547,884		631,000	277,530	
Nature Center	0	55,000	0		145,000	141,558	
Other	1,933	0	0		0	0	
Parks	461,151	642,000	103,742		2,243,500	515,220	
Police	200,242	488,000	0		796,000	367,959	
Public Works	5,128	491,000	4,198		785,000	229,608	
Recreation	148,891	335,000	96,501		1,247,580	519,277	
Streets	6,596,762	7,618,410	2,902,299		11,642,224	4,615,662	
	11,868,560	15,860,660	6,781,669	42.76	19,948,429	7,575,297	37.97

**Quarterly Financial Report
General Debt Service Fund
For the Period Ending December 31, 2020**

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
General Debt Service Fund Revenues							
TAXES	2,888,729	2,890,000	2,954,811		1,944,240	2,000,764	
GRANTS	35,539	0	0		0	39,022	
INTEREST & RENT	23,790	1,000	6,250		9,000	304	
	2,948,059	2,891,000	2,961,061	102.42	1,953,240	2,040,089	104.45
General Debt Service Fund Expenditures							
Debt Service	2,858,975	2,860,200	2,773,279		2,879,260	2,844,511	
	2,858,975	2,860,200	2,773,279	96.96	2,879,260	2,844,511	98.79

General Fund
For the Period Ending December 31, 2020

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
General Fund Revenues							
TAXES	34,236,297	34,283,700	34,637,801		35,804,700	35,852,426	
LICENSES AND PERMITS	2,684,368	2,989,550	1,598,110		3,348,520	1,249,829	
GRANTS	8,477,080	7,961,690	3,295,901		8,445,899	7,019,141	
CONTRIBUTIONS FROM LOCAL UNITS	33,421	51,600	26,148		41,000	78,664	
CHARGES FOR SERVICES	6,361,046	8,962,420	2,945,473		8,155,950	1,682,994	
FINES AND FORFEITURES	853,061	1,036,500	573,916		1,030,500	384,521	
INTEREST & RENT	1,794,304	1,172,780	834,942		1,588,780	726,707	
OTHER REVENUE	1,168,744	1,177,900	558,348		1,236,930	609,110	
OTHER FINANCING SOURCES	3,973,995	5,334,360	1,736,538		5,397,801	1,365,671	
	59,582,316	62,970,500	46,207,178	73.38	65,050,080	48,969,063	75.28
General Fund Expenditures							
General government	8,348,796	9,208,223	3,926,548		9,460,054	4,372,775	
Council and Executive Administration	4,362,372	4,789,990	2,086,332		5,039,090	2,413,280	
Finance	2,654,593	3,026,630	1,250,351		2,973,424	1,325,709	
Other General Government	1,331,831	1,391,603	589,865		1,447,540	633,787	
Public Safety	33,828,158	35,320,270	15,557,764		37,029,656	16,482,453	
Building Inspection	2,194,791	2,278,250	1,093,791		2,463,040	876,004	
Fire	5,548,570	5,548,570	2,593,751		6,235,696	2,800,797	
Police	26,084,798	27,493,450	11,870,222		28,330,920	12,805,652	
Public Works	5,946,100	7,523,770	2,709,677		7,581,248	2,658,430	
Streets	5,593,946	6,997,110	2,570,979		7,061,456	2,430,624	
Transportation	352,155	526,660	138,698		519,792	227,806	
Community Development	3,790,677	4,128,650	1,890,459		4,429,508	1,762,633	
Engineering	2,938,368	3,197,880	1,470,939		3,351,810	1,353,129	
Planning	852,309	930,770	419,520		1,077,698	409,504	
Recreation and Culture	7,079,530	8,169,370	3,726,530		8,434,612	3,028,807	
Historic Village	255,597	315,690	147,006		261,680	149,374	
Nature Center	199,265	204,900	124,539		158,930	124,707	
Parks	2,849,080	3,115,770	1,414,513		3,222,986	1,567,026	
Recreation	3,775,588	4,533,010	2,040,473		4,791,016	1,187,700	
Transfers Out & Other Uses	2,000,000	2,000,000	1,000,000		1,000,000	500,000	
Recreation and culture-OLD	0	0	0		0	2,189	
	60,993,261	66,350,283	28,810,979	43.42	67,935,078	28,807,287	42.40

**Quarterly Financial Report
Local Street Fund
For the Period Ending December 31, 2020**

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
Local Street Fund Revenues							
GRANTS	2,435,872	2,591,650	1,261,009		2,753,650	1,269,726	
INTEREST & RENT	71,108	20,000	16,120		32,000	15,871	
OTHER FINANCING SOURCES	1,500,000	1,500,000	750,000		1,500,000	750,000	
	4,006,981	4,111,650	2,027,129	49.30	4,285,650	2,035,597	47.50
Local Street Fund Expenditures							
Transfers Out & Other Uses	3,314,576	4,043,500	1,600,934		4,282,345	1,585,176	
	3,314,576	4,043,500	1,600,934	39.59	4,282,345	1,585,176	37.02

**Quarterly Financial Report
Major Street Fund
For the Period Ending December 31, 2020**

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
Major Street Fund Revenues							
GRANTS	6,167,975	6,566,100	3,193,620		6,976,570	3,211,791	
INTEREST & RENT	99,710	14,000	24,510		50,000	16,577	
	6,267,685	6,580,100	3,218,131	48.91	7,026,570	3,228,368	45.95
Major Street Fund Expenditures							
Transfers Out & Other Uses	6,486,971	7,071,210	3,059,063		8,776,101	3,641,046	
	6,486,971	7,071,210	3,059,063	43.26	8,776,101	3,641,046	41.49

**Quarterly Financial Report
Refuse Fund
For the Period Ending December 31, 2020**

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
Refuse Fund Revenues							
TAXES	5,416,656	5,431,000	5,425,514		5,630,000	5,608,809	
GRANTS	60,327	0	0		0	70,463	
CHARGES FOR SERVICES	940	1,000	315		600	48	
INTEREST & RENT	68,877	10,000	25,091		40,000	11,984	
	5,546,801	5,442,000	5,450,920	100.16	5,670,600	5,691,303	100.37
Refuse Fund Expenditures							
Sanitation	5,359,068	5,427,190	2,209,066		5,586,855	2,511,038	
	5,359,068	5,427,190	2,209,066	40.70	5,586,855	2,511,038	44.95

**Quarterly Financial Report
Sanctuary Lake Golf Course
For the Period Ending December 31, 2020**

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
Sanctuary Lake Golf Course Revenues							
CHARGES FOR SERVICES	1,684,939	1,684,470	1,089,861		1,738,800	1,305,040	
OTHER REVENUE	0	0	0		0	0	
	1,684,939	1,684,470	1,089,861	64.70	1,738,800	1,305,040	75.05
Sanctuary Lake Golf Course Expenditures							
Sanctuary Lake	1,909,864	2,401,540	1,073,680		2,485,385	1,049,707	
Billy Casper	1,700,887	1,441,970	995,444		1,517,895	964,375	
Capital	0	69,000	4,437		106,610	0	
City Expenses	208,977	890,570	73,800		860,880	85,332	
	1,909,864	2,401,540	1,073,680	44.71	2,485,385	1,049,707	42.24

**Quarterly Financial Report
Sewer Fund
For the Period Ending December 31, 2020**

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
Sewer Fund Revenues							
CONTRIBUTIONS FROM LOCAL UNITS	20,848	0	0		0	5,910	
CHARGES FOR SERVICES	12,681,390	13,847,500	7,512,910		14,284,400	8,695,280	
INTEREST & RENT	604,517	50,000	155,117		300,000	114,996	
OTHER REVENUE	21,751	0	0		0	0	
	13,328,506	13,897,500	7,668,027	55.18	14,584,400	8,816,186	60.45
Sewer Fund Expenditures							
Sewer	14,571,934	17,875,180	9,085,298		23,168,550	8,098,385	
Administration & Cost of Sales	13,626,914	12,377,690	6,889,249		12,615,080	6,641,268	
Capital	0	4,300,000	1,744,277		9,362,000	946,276	
Maintenance	945,020	1,197,490	451,772		1,191,470	510,841	
	14,571,934	17,875,180	9,085,298	50.83	23,168,550	8,098,385	34.95

**Quarterly Financial Report
Sylvan Glen Golf Course
For the Period Ending December 31, 2020**

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
Sylvan Glen Golf Course Revenues							
CHARGES FOR SERVICES	1,156,893	1,120,650	704,209		1,146,070	875,811	
INTEREST & RENT	182,400	182,400	148,800		182,400	148,800	
OTHER REVENUE	0	0	0		0	0	
	1,339,293	1,303,050	853,009	65.46	1,328,470	1,024,611	77.13
Sylvan Glen Golf Course Expenditures							
Sylvan Glen	1,207,073	1,626,880	752,416		1,290,390	647,008	
Billy Casper	1,185,035	1,064,790	683,473		1,090,200	584,497	
Capital	0	534,200	74,183		172,700	64,794	
City Expenses	22,038	27,890	-5,240		27,490	-2,283	
	1,207,073	1,626,880	752,416	46.25	1,290,390	647,008	50.14

**Quarterly Financial Report
Water Fund
For the Period Ending December 31, 2020**

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
Water Fund Revenues							
CHARGES FOR SERVICES	19,181,045	20,473,500	11,217,939		20,947,500	12,923,427	
INTEREST & RENT	345,405	24,200	92,745		104,300	53,262	
OTHER REVENUE	176,649	100,100	56,238		100,100	45,050	
	19,703,099	20,597,800	11,366,922	55.19	21,151,900	13,021,739	61.56
Water Fund Expenditures							
Water	19,762,693	26,215,659	12,757,305		26,061,184	12,328,625	
Administration & Cost of Sales	16,788,001	14,854,680	8,870,905		15,316,074	8,815,425	
Capital	0	7,927,439	2,333,213		7,075,000	2,209,258	
Maintenance	2,024,357	2,508,700	1,102,491		2,670,700	893,101	
Reading & Accounting	224,397	220,240	110,081		284,810	97,122	
Transmission & Distribution	725,938	704,600	340,615		714,600	313,720	
	19,762,693	26,215,659	12,757,305	48.66	26,061,184	12,328,625	47.31

City of Troy
Schedule of Cash and Investments
12/31/2020

Fund	Financial Institution	Type of Investment	G/L Account	Balance per Bank (cost)	Deposits in Transit	Outstanding Checks	Transfers	Other Items	Balance per Books
Pooled Investment Fund	Comerica	Money Market	751.1120	\$ 1,251,677.03					\$ 1,251,677.03
Pooled Investment Fund	Comerica	Checking Account	751.1001.001	\$ 39,522,487.97	\$ 27,776.56	\$ (3,564,266.24)	\$ (325,619.52)	\$ (1,581,599.23)	\$ 34,078,779.54
Pooled Investment Fund	Comerica	Cash & Cash Equivalents	751.1001.230	\$ 3,958.80					\$ 3,958.80
Pooled Investment Fund	Comerica	Government & Municipal Bonds	751.1120	\$ 20,385,193.78					\$ 20,385,193.78
Pooled Investment Fund	Fifth Third Bank	Cash & Cash Equivalents	751.1001.230	\$ 2,488,454.06					\$ 2,488,454.06
Pooled Investment Fund	Fifth Third Bank	Government & Municipal Bonds	751.1120	\$ 48,202,635.88					\$ 48,202,635.88
Pooled Investment Fund	Huntington Investment Co	Cash & Cash Equivalents	751.1001.230	\$ 145,467.07					\$ 145,467.07
Pooled Investment Fund	Huntington Investment Co	Government Bonds	751.1120	\$ 1,059,433.55					\$ 1,059,433.55
Pooled Investment Fund	Huntington Nat'l Bank	Money Market	751.1001.140	\$ 615,456.08					\$ 615,456.08
Pooled Investment Fund	Independent Bank	Certificate of Deposit	751.1003	\$ 5,975,650.21					\$ 5,975,650.21
Pooled Investment Fund	Level One Bank	Certificate of Deposit	751.1003	\$ 221,567.11					\$ 221,567.11
Pooled Investment Fund	MBIA-Class	Money Market	751.1120	\$ 1,815,702.45					\$ 1,815,702.45
Pooled Investment Fund	Morgan Stanley Smith Barney	Cash & Cash Equivalents	751.1001.230	\$ 4,513,775.59					\$ 4,513,775.59
Pooled Investment Fund	Morgan Stanley Smith Barney	Certificate of Deposit	751.1120	\$ 2,471,000.00					\$ 2,471,000.00
Pooled Investment Fund	PNC Bank	Money Market	751.1120	\$ 5,285,657.85					\$ 5,285,657.85
Pooled Investment Fund	TCF Bank	Money Market	751.1120	\$ 5,142,746.68					\$ 5,142,746.68
Sanctuary Lake Golf Course	Fifth Third Bank	Checking Account	583.1001.100	\$ 362,201.66	\$ 1,439.96	\$ (18,582.44)		\$ -	\$ 345,059.18
Sanctuary Lake Golf Course	Fifth Third Bank	Checking Account	583.1001.130	\$ 4,112.58	\$ -	\$ (431.61)		\$ -	\$ 3,680.97
Sylvan Glen Golf Course	Fifth Third Bank	Checking Account	584.1001.100	\$ 324,766.45	\$ 564.00	\$ (12,026.77)			\$ 313,303.68
Sylvan Glen Golf Course	Fifth Third Bank	Checking Account	584.1001.130	\$ 4,432.61	\$ -	\$ -		\$ -	\$ 4,432.61
Trust & Agency Fund	Comerica	Checking Account	701.1001.001	\$ 15,667,515.68	\$ 38,814.08	\$ (70,303.99)	\$ 325,619.52	\$ (209,515.52)	\$ 15,752,129.77
Water Fund	Fifth Third Bank	Cash & Cash Equivalents	591.1001.100	\$ 646,884.29					\$ 646,884.29
Water Fund	Fifth Third Bank	Government & Municipal Bonds	591.1120	\$ 3,972,940.99					\$ 3,972,940.99
Total				\$ 160,083,718.37	\$ 68,594.60	\$ (3,665,611.05)	\$ 0.00	\$ (1,791,114.75)	\$ 154,695,587.17



500 West Big Beaver
Troy, MI 48084
troymi.gov

O-02c

CITY COUNCIL AGENDA ITEM

Date: March 2, 2021

To: Mayor and City Council Members

From: Mark F. Miller, City Manager
Lori G. Bluhm, City Attorney
Frank Nastasi, Chief of Police
Aileen Dickson, City Clerk

Subject: Liquor Violation Hearings

Troy City Council has traditionally scheduled hearings for all Troy liquor licensees that sold alcohol to minors in the previous year. These hearings are usually scheduled in March to allow for the City to take any justifiable action against a violating licensee before the new liquor license year. For on-premises licensees (alcohol is consumed on site, such as restaurants and hotels), state law authorizes the City to object to a violator's liquor license renewal. This past year, due to closures and other COVID reasons, there were no restaurants or other on-premises violators.

The other type of liquor license is an off-premises license, where alcohol is purchased at a store or gas station and taken home or consumed somewhere else. State law limits the powers municipalities can take against these off-premises licenses unless there are three or more violations in a calendar year. Although there were three off-premises licensees with liquor license violations in 2020, none of the licensees meet this threshold. Two of the violations used decoys, and the third violation was observed during regular patrol, as follows:

The Kroger Co. of Michigan (dba Kroger Store #464)- 2105 South Blvd;
1/2/2020 Sale to Minor (Compliance Test); no priors within past 5 years.

The Kroger Co. of Michigan (dba Kroger Store #487)- 31 E. Long Lake;
1/2/2020 Sale to Minor (Compliance Test); no priors within past 5 years.

7-11- 3982 Crooks Rd- 3/25/2020 Sale to Minor;
1 prior violation on 12/10/17 (After Hours Alcohol Sale)

The Michigan Liquor Control Commission was notified of each of these violations, and will likely impose fines for each of these licensees, assuming that the violations are uncontested or otherwise proven in a due process hearing. In addition, the Troy Police Department issued civil infraction tickets to all of the clerks that sold alcohol to minors, as authorized under the law.

City Council is not required to hold annual liquor license hearings, especially where the powers of the City are limited. Unless otherwise directed by the Troy City Council, City Administration does not plan to schedule liquor hearings for these three 2020 violations. In the absence of City Council hearings, City Administration will notify each of the three violators that additional liquor sales training will be required, and will require proof of the training completion to be provided to the Troy Police Department.



500 West Big Beaver
Troy, MI 48084
troymt.gov

CITY COUNCIL AGENDA ITEM

Date: March 3, 2021

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
R. Brent Savidant, Community Development Director

Subject: Application to De-List 6071 Livernois

The owner of 6071 Livernois submitted an application to de-list. The property is commonly known as the Ye Olde Flower Barn. A farmhouse and barn presently sit on the property. The property is listed as a historic property in the City's Historic Preservation Ordinance (Chapter 13).

The building was originally a farmhouse but has been used as Ye Olde Flower Barn for nearly 50 years. The reasons for listing the property in Chapter 13 Historic Preservation are unclear, as there are no records for this property on file. The business has closed and the owner seeks to de-list and sell the property.

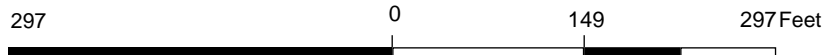
Chapter 13 specifies the process for de-listing (see attached checklist). City Council appointed a Historic District Study Committee (HDSC) on January 25, 2021. The HDSC reviewed the Preliminary Report at a meeting on February 25, 2021. The next step is to transmit the Preliminary Report to City Council, the Planning Commission, the Historic District Commission, the Michigan Historical Commission and the State Historic Preservation Review Board for review and comment.

The Preliminary Report is attached as an informational item. This item will be back before City Council for consideration following a 60-day review period and the HDSC public hearing.

City Council action is not required for this item at this time.

Attachments:

1. Map
2. Checklist to Delist a Historic Resource
3. Minutes (draft) from February 25, 2021 Historic District Study Committee meeting
4. Preliminary Report to De-List 6071 Livernois



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.

CHECKLIST TO DELIST A HISTORIC RESOURCE

The following are the steps required to delist a historic resource in Troy, as per Chapter 13 Historic Preservation:

Applicant submits a complete Application to Delist a Historic Resource to the City of Troy Planning Department.

Historic District Study Committee (HDSC) is appointed to complete the following steps:

HDSC prepares a Preliminary Report, including photo inventory that indicates one of the following reasons for de-listing:

1. The historic district has lost those physical characteristics that enabled establishment of the district
2. The historic district was not significant in the way previously defined
3. The historic district was established pursuant to defective procedures

Transmit the Preliminary Report to the Historic District Commission, The Michigan Historical Commission and the State Historic Preservation Review Board, Planning Commission and City Council

The Planning Department shall schedule a public hearing with the HDSC not less than sixty (60) days after the Preliminary Report is on the City Council agenda as an informational item.

The Planning Department shall mail the property owner via first class mail a written notice of the public hearing, not less than fourteen (14) days prior to the public hearing.

After the public hearing, the HDSC shall prepare a Final Report with the recommendations of Planning Commission and transmit the Final Report to City Council

City Council may consider an amendment to Chapter 13 which modifies or eliminates one or more of the historic districts.

Council approves and property owner notified

The Historic District Study Committee meeting began at 7:05 p.m. on February 25, 2021. The meeting was held remotely on the GoToMeeting remote meeting platform.

1. ROLL CALL

Present:

Barb Chambers
Timothy McGee
Kent Voigt

Also Present:

R. Brent Savidant, Community Development Director
Jeff Jezierski, owner of 6071 Livernois

2. APPROVAL OF AGENDA

Moved by: McGee
Seconded by: Chambers

RESOLVED, To approve the Agenda as prepared.

Yes: All present (3)

MOTION CARRIED

3. ELECTION OF OFFICERS

Moved by: McGee
Seconded by: Chambers

RESOLVED, To elect Kent Voigt as Chairperson.

Yes: All present (3)

MOTION CARRIED

4. PRELIMINARY REPORT, APPLICATION TO DE-LIST A HISTORIC PROPERTY – 6071 LIVERNOIS (YE OLDE FLOWER BARN)

Mr. Savidant presented the Preliminary Report. General discussion followed.

Timothy McGee stated he toured the barn in the early 2000's with the Director of the Troy Museum, as the Troy Museum was interested in acquiring a historic barn. Her opinion at the time was that the barn was not historically significant.

The Committee agreed the farmhouse was typical of farmhouses constructed at the turn of the 20th century and was not historically significant. Further, there was no record indicating the reasons for listing 6071 Livernois as a historic property in Chapter 13.

Moved by: McGee
Seconded by: Chambers

RESOLVED, The Historic District Study Committee hereby approves the Preliminary Report to De-List 6071 Livernois.

BE IT FURTHER RESOLVED, The Historic District Study Committee hereby requests that the Planning Department transmit copies of the Preliminary Report to City Council, the Planning Commission, the Historic District Commission, the Michigan Historical Commission and the State Historic Preservation Review Board, and any additional review body required by the State Historic Preservation Officer.

BE IT FINALLY RESOLVED, The Historic District Study Committee hereby requests the Planning Department to schedule a public hearing not less than sixty (60) days after the transmittal of the report to the above listed organizations.

Yes: All present (3)

MOTION CARRIED

5. PUBLIC COMMENT

There was no one present who wished to speak.

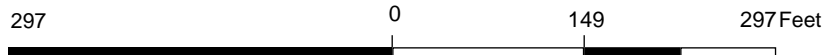
Chairperson Voigt adjourned the meeting at 7:25 pm.

PRELIMINARY REPORT

HISTORIC DISTRICT STUDY COMMITTEE

APPLICATION TO DE-LIST 6071 LIVERNOIS, TROY MI

YE OLDE FLOWER BARN



Note: The information provided by this application has been compiled from recorded deeds, plats, tax maps, surveys, and other public records and data. It is not a legally recorded map survey. Users of this data are hereby notified that the source information represented should be consulted for verification.

INTRODUCTION

The owner of 6071 Livernois (Ye Olde Flower Shop) submitted an application to remove (de-list) the property from Chapter 13 Historic Preservation. The City of Troy Planning Department maintains files for properties listed as historic in Chapter 13. It appears that a file report documenting the justification

TROY HISTORIC VILLAGE RESEARCH

6071 Livernois (Ye Olde Flower Shop)

History of land ownership mostly based on maps available at the Troy Historic Village. A thorough search through the county deeds would give more specific dates and additional land ownership information.

- 1822 April 15th original purchase by Guy Phelps, 160 acres.
Guy Phelps owned 160 acres SE ¼ of Section 4 and 160 acres “across the street” in SW ¼ of Section 3. See appendix for land grant for SE ¼ Section 4, filed Apr 2 1823.
- 1838 Included in the plat for the Village of Hastings. This suggests it was purchased by Johnson Niles sometime between 1823 and 1838.
- 1857 Part of Niles Corners (ownership noted on the 1857 map). This suggests it was still owned by Johnson Niles.
- 1872 Owned by George H Niles (ownership noted on the 1872 map). George inherited much of the Johnson Niles property including the Niles House on Livernois south of Square Lake Road and the land where 6071 Livernois would be built.
- 1896 Owned by Thomas Smith (1896 Map).
- 1908 Hard to read parcel owner on the 1908 map – Phillips?
- 1916 Name absent from 1916 map.
- 1917? House and land were purchased by Fred and Rosetta (Kyser) Schoch after the death of their son in 1917. Unsure who they purchased the house from, though a search of the county deeds would give more information.
- 1921 The property became part of Troy Acres Subdivision.
- 1930 House still owned by the Schoch's, though they also spent time in Florida (US Census).

1940 Fred and Rosetta Schoch (US Census).

1953 Fred Schoch dies, Rosetta continues to live in the home at 6071 Livernois.

1966 Rosetta Schoch dies, with no surviving children the house is sold.

1967? Purchased by Fred and Jeannine Jezierski.

Records relating to 6071 Livernois and the Historic District Commission (HDC)

1971 6071 Livernois (88-20-04-478-017) was first nominated for historic designation by Dorothy Scott in March of 1971. The property was one of 120 suggested listings submitted by Mrs. Scott that year, it was NOT approved.

197? Lois Lance's notes (HDC) suggest the house was built c. 1905.

1986 The property first appears on Chapter 13 historic designation list in November 1986 HDC meeting minutes.

199? The property appears in the HDC "Troy...Next Five Exits" pamphlet with the notation c.1915.

The property was designated as part of the larger Troy Corners Historic District area (year unknown).

There is no historic survey on file for this building in the City's Historic District Commission records. As the various pamphlets and notes indicate, there was never any in-depth research conducted to give the house and barn an appropriate historic designation. Dorothy Scott and Lois Lance were passionate about saving pieces of Troy history as the city was rapidly changing in the 1960s. This effort was well intended and important. However, it appears that 6071 Livernois was considered because it was more than 50 years old and there were very few buildings left in the area that were over 50 years old.

No other paperwork in our holdings suggests why this building is historically significant. The house appears to be a vernacular farmhouse built around 1900. It was renovated in the late 1960s shortly after Fred and Jeannine Jezierski purchased it. Their children said a majority of the work was completed by their father to bring the house "up to date". While there are very few surviving homes from that era in Troy, there seems to be no other reason for historic designation.

Loraine Campbell and Jen Peters did a visual inspection of the barn on August 17th, 2020. There is some age to it, with hand-hewn beams, original rafters that still have

bark, and some original floors, but it has been heavily modified. It would need further review by a barn specialist to determine what kind of historical value it may still have.

BUILDING OFFICIAL INSPECTION

The City Building Official inspected the site in November, 2020. The following summarizes his findings:

There are two buildings on the property. He was not able to enter any of the buildings because the shop was closed. The flower shop is located within the building at the back (north). It has two attached structures, one on the side. It is an apparent sun room of low quality that is deteriorated. On the back side there is an attachment, it has a flat low roof, it was possibly added for storage. It is in bad shape and it looks deteriorated. The shop itself has a roof with shingles that do not represent the era of the building. In addition, it has two skylights that are more of a 1960's fashion. The furnace stack is tilted. On the interior of that same building, the structure is composed of timber elements. It could not be determined if they are from the original structure. The ceiling was probably restored, at a later date following construction.

The building at the front (south), appears to be a single house. It has the same characteristic on the roof as the back building. The shingles do not represent its historic value. The porch of the front building has a ceiling that was repaired with contemporary 4' x 8' wood paneling. It does not represent its historic value.

BARN PRESERVATION NETWORK INPUT

Jen Peters from the Troy Historic Village reached out to Steve Stier with the Barn Preservation Network. He passed on photos to an architect who also works with barns and they both felt like it might be a stick-built building with the beams added to make it look older. A photograph in Appendix C shows an unused corner notch which indicates the beam is used for aesthetic purposes only.

They also both agreed that if there is no definitive evidence to link it back to the original Troy Corners settlement then there is probably little historic value.

SUMMARY

It is unclear why the property was designated as "historic" under the provisions of Chapter 13 Historic Preservation.

APPENDIX A

Land grant for Guy Phelps, SE $\frac{1}{4}$ of Section 4, Township 2N Range 11E (Troy), Bureau of Land Management, General Land Office (BLM-GLO Records).

109

Certificate.
No. 129.

The United States of America.

Sent 12. May 1822

To all to whom these presents shall come, Greeting:

Whereas *Guy Phelps* of *Onida County State of New York* has deposited in the General Land Office of the United States, a certificate of the Register of the Land Office at *Detroit Michigan Territory* whereby it appears that full payment has been made by the said *Guy Phelps* according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An act making further provision for the sale of the Public Lands," for *The South East quarter of Section four in Township Two North in Range Eleven East in the district of Detroit and Territory of Michigan containing One Hundred and sixty acres*

according to the official plat of the survey of the said Lands, returned to the General Land Office by the Surveyor General, which said tract has been purchased by the said *Guy Phelps*

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several acts of Congress, in such case made and provided, have Given and Granted, and, by these presents do give and grant, unto the said *Guy Phelps* the said tract above described: To Have and to Hold the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said *Guy Phelps* and his heirs and assigns, forever.

In testimony whereof, *J. James Monroe*

PRESIDENT OF THE UNITED STATES OF AMERICA, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the *Second* day of *April* in the year of our Lord, one thousand eight hundred and twenty *three*, and of the Independence of the United States the *forty seventh*.

By the President,

J. M.
J. Nelson Commissioner of the General Land Office.

548482
LS.

APPENDIX B

Photographs taken by Building Official in November, 2020.



6071 Livernois, looking west from Livernois. The home is in the foreground.



Porch on front of residence.



Barn building, south elevation.



Barn building, north elevation.



Barn interior.



Barn interior.



Barn addition.



Barn addition.

APPENDIX C

Photograph of beam inside barn.



Notch in beam indicates beam was originally used in a different building and used in this building for aesthetic purposes.

Dear Aileen and Entire City Clerk office,

Please accept this very belated Thank You from The Democratic Precinct Delegates of Troy for everything that you did to make our November election season safe, secure, accessible, and clear. Your efforts to keep our citizens informed, your responsiveness to a swiftly changing environment, and the work that you did to keep voters and election workers safe were nothing short of extraordinary and truly appreciated.

Your office never ceased to be patient with us as we called with all manner of questions and suggestions; your efforts were instrumental in helping us, as Precinct Delegates, to better inform voters and to work in our precincts to encourage safe and timely voting.

We cannot thank you enough for everything that you did to ensure such a successful and responsive election process through two primaries and a general election.

We look forward to working with the City in upcoming elections!

Stay safe.

With great appreciation,

Troy Democratic Precinct Delegates

troydelegate@gmail.com

**CITY MANAGER
CITY OF TROY, OAKLAND COUNTY
500 W. BIG BEAVER ROAD
TROY, MI 48084**

**STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION
NOTICE OF HEARING
FOR THE GAS CUSTOMERS OF
DTE GAS COMPANY
CASE NO. U-20966**

- DTE Gas Company requests Michigan Public Service Commission's approval of the reconciliation of its Revenue Decoupling Mechanism (RDM) for the Period October 1, 2019 through September 30, 2020
- The information below describes how a person may participate in this case.
- You may call or write DTE Gas Company, One Energy Plaza, Detroit, MI 48226, (800) 477-4747 for a free copy of its application. Any person may review the documents at the offices of DTE Gas Company.
- A pre-hearing will be held:

DATE/TIME: Wednesday, March 10, 2021 at 9:00 AM

BEFORE: Administrative Law Judge Kandra Robbins

LOCATION: Video/Teleconferencing

PARTICIPATION: Any interested person may participate. Persons needing any assistance to participate should contact the Commission's Executive Secretary at (517) 284-8090, or by email at mpscedockets@michigan.gov in advance of the hearing.

The Michigan Public Service Commission (Commission) will hold a pre-hearing to consider DTE Gas Company's (DTE Gas) January 29, 2021 application requesting the Commission to: 1) authorize DTE Gas to reconcile the Revenue Decoupling Mechanism (RDM) for the period October 1, 2019 through September 30, 2020; 2) authorize DTE Gas to adjust its existing retail gas rates to refund a net amount of \$4.09 million, plus interest; 3) authorize DTE Gas to include any residual balance resulting from an over- or under-collection, or over- or under-refund in subsequent RDM reconciliation filings; and 4) grant DTE Gas such other and further relief.

All documents filed in this case shall be submitted electronically through the Commission's E-Dockets website at: michigan.gov/mpscedockets. Requirements and instructions for filing can be found in the User Manual on the E-Dockets help page. Documents may also be submitted, in Word or PDF format, as an attachment to an email sent to: mpscedockets@michigan.gov. If you require assistance prior to e-filing, contact Commission staff at (517) 284-8090 or by email at: mpscedockets@michigan.gov.

Any person wishing to intervene and become a party to the case shall electronically file a petition to intervene with this Commission by March 3, 2021. (Interested persons may elect to file using the traditional paper format.) The proof of service shall indicate service upon DTE Gas Company's attorney, David S. Maquera, One Energy Plaza, Detroit, MI 48226.

The prehearing is scheduled to be held remotely by video conference or teleconference. Persons filing a petition to intervene will be advised of the process to participate in the hearing.

Any person wishing to participate without intervention under Mich Admin Code, R 792.10413 (Rule 413), or file a public comment, may do so by filing a written statement in this docket. The written statement may be mailed or emailed and should reference Case No. **U-20966**. Statements may be emailed to: mpscedockets@michigan.gov. Statements may be mailed to: Executive Secretary, Michigan Public Service Commission, 7109 West Saginaw Hwy., Lansing, MI 48917. All information submitted to the Commission in this matter becomes public information, thus available on the Michigan Public Service Commission's website, and subject to disclosure. Please do not include information you wish to remain private. For more information on how to participate in a case, you may contact the Commission at the above address or by telephone at (517) 284-8090.

Requests for adjournment must be made pursuant to Michigan Office of Administrative Hearings and Rules R 792.10422 and R 792.10432. Requests for further information on adjournment should be directed to (517) 284-8130.

A copy of DTE Gas Company's application may be reviewed on the Commission's website at: michigan.gov/mpscedockets, and at the office of DTE Gas Company. For more information on how to participate in a case, you may contact the Commission at the above address or by telephone at (517) 284-8090.

Jurisdiction is pursuant to 1909 PA 300, as amended, MCL 462.2 et seq.; 1919 PA 419, as amended, MCL 460.54 et seq.; 1939 PA 3, as amended, MCL 460.1 et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; and Parts 1 & 4 of the Michigan Office of Administrative Hearings and Rules, Mich. Admin Code, R 792.10106 and R 792.10401 through R 792.10448.

U-20966

**CITY MANAGER
CITY OF TROY, OAKLAND COUNTY
500 W. BIG BEAVER ROAD
TROY, MI 48084**

**STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION
NOTICE OF HEARING
FOR THE GAS CUSTOMERS OF
DTE GAS COMPANY
CASE NO. U-20940**

- DTE Gas Company requests authority to increase its rates, amend its rate schedules and rules governing the distribution and supply of natural gas, and for miscellaneous accounting authority.
- **BASED UPON THE \$195 MILLION REQUEST, A TYPICAL RESIDENTIAL CUSTOMER'S AVERAGE NATURAL GAS DISTRIBUTION BILL MAY INCREASE BY ABOUT \$7.00 PER MONTH. CURRENT MONTHLY BILL INCLUDES 2021 INFRASTRUCTURE RECOVERY MECHANISM (IRM) CHARGE AND PROPOSED MONTHLY BILL INCLUDES 2022 IRM CHARGE.**
- The information below describes how a person may participate in this case.
- You may call or write DTE Gas Company, One Energy Plaza, Detroit, MI 48226, (800) 477-4747, for a free copy of its application. Any person may review the documents at the offices of DTE Gas Company.
- A pre-hearing will be held:

DATE/TIME: Thursday, March 11, 2021 at 9:00 AM

BEFORE: Administrative Law Judge Sally Wallace

LOCATION: Video/Teleconferencing

PARTICIPATION: Any interested person may participate. Persons needing any assistance to participate should contact the Commission's Executive Secretary at (517) 284-8090, or by email at mpscedockets@michigan.gov in advance of the hearing.

The Michigan Public Service Commission (Commission) will hold a pre-hearing to consider DTE Gas Company's (DTE Gas) February 12, 2021 application, as amended on February 15, 2021, requesting the Commission for authority to increase rates, amend its rates schedules and rules governing the distribution and supply of natural gas and for miscellaneous accounting authority; and to approve: 1) additional annual revenues of approximately \$195 million based upon a January 1, 2022 through December 31, 2022 test year with new rates effective as soon as possible on or after January 1, 2022; 2) recovery of DTE Gas's proposed new rates effective no later than January 1, 2022; 3) acknowledge that DTE Gas has satisfied all of the directives of the Commission Order in Case No. U-20642, which were required

components of its subsequent general rate cases; 4) DTE Gas's recovery of the requested infrastructure related capital and the associated infrastructure recovery mechanism; 5) DTE Gas's capital structure and return on investment; 6) the recovery of DTE Gas's projected Manufactured Gas Plant (MGP) expenses; 7) the continuation of and changes to DTE Gas's Low Income Assistance credit pilot and Residential Income Assistance Service Provision credit including regulatory asset and liability treatment for low income assistance customer credits applied greater or less than those approved in rates; 8) DTE Gas's proposal for an Uncollectible Expense True up Mechanism (UETM); 9) DTE Gas's proposal for a Shared Asset Deferral Mechanism; 10) DTE Gas's proposal to amend certain customer rate schedules and proposed tariff changes; and 11) DTE Gas further, additional relief.

All documents filed in this case shall be submitted electronically through the Commission's E-Dockets website at: michigan.gov/mpscedockets. Requirements and instructions for filing can be found in the User Manual on the E-Dockets help page. Documents may also be submitted, in Word or PDF format, as an attachment to an email sent to: mpscedockets@michigan.gov. If you require assistance prior to e-filing, contact Commission staff at (517) 284-8090 or by email at: mpscedockets@michigan.gov.

Any person wishing to intervene and become a party to the case shall electronically file a petition to intervene with this Commission by March 4, 2021. (Interested persons may elect to file using the traditional paper format.) The proof of service shall indicate service upon DTE Gas Company's attorney, Paula Johnson-Bacon, One Energy Plaza, Detroit, MI 48226.

The prehearing is scheduled to be held remotely by video conference or teleconference. Persons filing a petition to intervene will be advised of the process to participate in the hearing.

Any person wishing to participate without intervention under Mich Admin Code, R 792.10413 (Rule 413), or file a public comment, may do so by filing a written statement in this docket. The written statement may be mailed or emailed and should reference Case No. **U-20940**. Statements may be emailed to: mpscedockets@michigan.gov. Statements may be mailed to: Executive Secretary, Michigan Public Service Commission, 7109 West Saginaw Hwy., Lansing, MI 48917. All information submitted to the Commission in this matter becomes public information, thus available on the Michigan Public Service Commission's website, and subject to disclosure. Please do not include information you wish to remain private. For more information on how to participate in a case, you may contact the Commission at the above address or by telephone at (517) 284-8090.

Requests for adjournment must be made pursuant to Michigan Office of Administrative Hearings and Rules R 792.10422 and R 792.10432. Requests for further information on adjournment should be directed to (517) 284-8130.

A copy of DTE Gas Company's application may be reviewed on the Commission's website at: michigan.gov/mpscedockets, and at the office of DTE Gas Company. For more information on how to participate in a case, you may contact the Commission at the above address or by telephone at (517) 284-8090.

The Utility Consumer Representation Fund has been created for the purpose of aiding in the representation of residential utility customers in various Commission proceedings. Contact the Chairperson, Utility Consumer Participation Board, Department of Licensing and Regulatory Affairs, P.O. Box 30004, Lansing, Michigan 48909, for more information.

Jurisdiction is pursuant to 1909 PA 300, as amended, MCL 462.2 et seq.; 1919 PA 419, as amended, MCL 460.54 et seq.; 1939 PA 3, as amended, MCL 460.1 et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; and Parts 1 & 4 of the Michigan Office of Administrative Hearings and Rules, Mich. Admin Code, R 792.10106 and R 792.10401 through R 792.10448.



ETHAN BAKER | MAYOR
500 West Big Beaver
Troy, MI 48084
Ethan.Baker@troymi.gov
troymi.gov

Date: March 8, 2021

To: Mayor Pro Tem Theresa Brooks
Council Member Edna Abraham
Council Member Rebecca Chamberlain-Creanga
Council Member Ann Erickson Gault
Council Member David Hamilton
Council Member Ellen Hodorek
City Manager Mark Miller
City Attorney Lori Bluhm

From: Mayor Ethan Baker

Subject: State of the City 2021

My fellow Troy City Council Members, City Manager Miller, and City Attorney Bluhm:

I am excited to announce I am going to resume the practice of providing a State of the City Address ("SOTC") for the residents and businesses of Troy. My first SOTC will be in the evening on Wednesday, May 19, 2021, with an official start time to be determined.

This will be a partnership between the City of Troy and the Troy Chamber of Commerce. I have been working with Tara Tomcsik-Husak, President and CEO of the Troy Chamber and Cindy Stewart, Community Affairs Director for the City of Troy for the planning and execution of this community event. Because of the Covid-19 pandemic, we are planning to have an outdoor, in person event, but will be fully prepared to have it be primarily a virtual event, if necessary. It is my hope that you all will be able to attend in person, subject to safety precautions and any restrictions coming from the state government, and I also recognize we will have to play it by ear.

The SOTC will address my first 18 months as Mayor of the City of Troy and will discuss the city's plans for FY 2021/22. It is my expectation that we will have approved our FY 2021/22 Budget just prior to this SOTC, which will give a good opportunity to discuss our upcoming priorities. Upon being elected Mayor, I had intended to resume the SOTC tradition in 2020, but because of Covid-19, it felt best to wait until this year.

Cindy, Tara, and I have already been working on the plans for this SOTC and we will ensure it is a great representation of our wonderful city. I look forward to working with each of you to enhance the SOTC address and the presentation of our priorities.