

Mayor Baker performed the Invocation. The Pledge of Allegiance to the Flag was given.

## **A. CALL TO ORDER:**

A Regular Meeting of the Troy City Council was held on Monday, July 12, 2021, at City Hall, 500 W. Big Beaver Rd. 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** Proclamation to Declare July 22, 2021 World Fragile X Day in the City of Troy  
(Presented by: Mayor Ethan Baker)

## **D. CARRYOVER ITEMS:**

- D-1** No Carryover Items

## **E. PUBLIC HEARINGS:**

- E-1** Street Vacation Request (SV2020-001) – Public Walkway East of John R and North of Big Beaver, Abutting 3512 Euclid on the North and 3506 Euclid on the South, Section 24, Currently Zoned R-1C (Abutting Properties) (Introduced by: Brent Savidant, Community Development Director)

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

|          |  |
|----------|--|
| Resident | Commented that the path provided is not sufficient |
|----------|--|

Resolution #2021-07-106

Moved by Hamilton

Seconded by Erickson-Gault

WHEREAS, A request has been received for the vacation of a public walkway, approximately 15 feet wide by 125 feet in length, located east of John R Road and north of Big Beaver, abutting 3512 Euclid on the north and 3506 Euclid on the south; and,

WHEREAS, The Planning Commission recommended that this walkway vacation be granted with the retention of underground utility easements;

NOW, THEREFORE, BE IT RESOLVED, The properties **WHICH SHALL BENEFIT** from this requested vacation are Lot 12 (3512 Euclid) and Lot 13 (3506 Euclid) of Beaver Creek Subdivision, Section 24; and

BE IT FURTHER RESOLVED, That the City Council hereby **VACATES** the public the public walkway, approximately 15 feet in width and 125 feet in length, located east of John R and north of Big Beaver, abutting 3512 Euclid on the north and 3506 Euclid on the south, and

BE IT FINALLY RESOLVED, That the City hereby **RETAINS** an easement for underground utility purposes.

Yes: All-7  
No: None

### MOTION CARRIED

**E-2 Rezoning Request (File Number Z JPLN2021-0001) – Proposed Lindsey Center Rezoning, East of Crooks, South of Big Beaver (2690 Crooks, Parcel #88-20-28-101-003), Section 28, From O (Office) to BB (Big Beaver) District (Introduced by: Brent Savidant, Community Development Director)**

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

|                        |                                      |
|------------------------|--------------------------------------|
| Mr. Jonna (Petitioner) | Commented in support of the rezoning |
|------------------------|--------------------------------------|

Resolution #2021-07-107  
Moved by Baker  
Seconded by Hodorek

WHEREAS, The City is in receipt of a rezoning request, from O to BB, File Number Z 2021-0001, comprised of the parcel addressed as 2690 Crooks Road, Parcel Identification Number 88-20-28-101-003, in Section 28;

THEREFORE, BE IT RESOLVED, The proposed rezoning from O to BB, being approximately 4.45 acres in area, is hereby **APPROVED**.

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

Yes: All-7  
No: None

### MOTION CARRIED

### F. PUBLIC COMMENT:

There was a consensus of City Council to waive *Council Rule #15 – Members of the Public and Visitors* allow an email received after 4pm to be read into the record.

|                          |   |
|--------------------------|---|
| Richard Bates            | Commented on Item M-2b                    |
| Karyn Mroczka            | Commented in support of pickleball courts |
| Peter Pez                | Commented in support of pickleball courts |
| Aseel Elias              | Commented in support of pickleball courts |
| Jenny Martin             | Commented in support of pickleball courts |
| Rick & Michelle Guzzo    | Commented in support of pickleball courts |
| Pam Mackowski            | Commented in support of pickleball courts |
| Denise Barth             | Commented in support of pickleball courts |
| Ellen Prebelich          | Commented in support of pickleball courts |
| Joe Thilman              | Commented in support of pickleball courts |
| Mary Ellen Turner        | Commented in support of pickleball courts |
| Rafi Elsha               | Commented in support of pickleball courts |
| Mark Bergin              | Commented in support of pickleball courts |
| Steve Pasbjerg           | Commented in support of pickleball courts |
| Michael Bloch            | Commented in support of pickleball courts |
| Sharon Schafran          | Commented in support of pickleball courts |
| Susan Holle              | Commented in support of pickleball courts |
| JJ Holle                 | Commented in support of pickleball courts |
| Patty Bedard             | Commented in support of pickleball courts |
| Linda Carr               | Commented in support of pickleball courts |
| Dan Van Buhler           | Commented in support of pickleball courts |
| Cheryl Armstrong         | Commented in support of pickleball courts |
| Dave Armstrong           | Commented in support of pickleball courts |
| Michelle Phillips        | Commented in support of pickleball courts |
| Bethany Mosshart         | Commented in support of pickleball courts |
| Tony Sciallo             | Commented in support of pickleball courts |
| Lin                      | Commented in support of pickleball courts |
| Susan Stroud             | Commented in support of pickleball courts |
| Dennis Calbeck           | Commented in support of pickleball courts |
| Lori Calbeck             | Commented in support of pickleball courts |
| Hendry Family            | Commented in support of pickleball courts |
| Maureen Pickard          | Commented in support of pickleball courts |
| Beth Messacar            | Commented in support of pickleball courts |
| Ann Balmes               | Commented in support of pickleball courts |
| Kathleen Donovan         | Commented in support of pickleball courts |
| Matt Dahmer              | Commented in support of pickleball courts |
| Matthew Withun           | Commented in support of pickleball courts |
| Nancy Thoenes            | Commented in support of pickleball courts |
| Bob Messacar             | Commented in support of pickleball courts |
| Reichenbach Family       | Commented in support of pickleball courts |
| Robert Dunn              | Commented in support of pickleball courts |
| George Renaud            | Commented in support of pickleball courts |
| Patty Wachowski          | Commented in support of pickleball courts |
| Carol P.                 | Commented in support of pickleball courts |
| Marti Forrer             | Commented in support of pickleball courts |
| Dennis & Susan Zacharski | Commented in support of pickleball courts |
| Kathleen Ryda            | Commented in support of pickleball courts |
| Paula Taylor & Mary Sage | Commented in support of pickleball courts |

|                |   |
|----------------|---|
| Brian Blake    | Commented in support of pickleball courts |
| Derek Gullion  | Commented in support of pickleball courts |
| Deb Standerfer | Commented in support of pickleball courts |
| Ronda Little   | Commented in support of pickleball courts |
| Carla Vaughan  | Commented in support of pickleball courts |

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

|                                    |  |
|------------------------------------|--|
| Mayor Baker                        | Requested that City Manager Miller meet with Mr. Bates regarding his concerns.   |
| Mayor Baker                        | Commented that among other things that will be discussed during the upcoming City Council strategy session in September, City Council and City Administration will discuss pickleball courts, a cricket pitch, and other recreation funding.   |
| Council Member Hamilton            | Commented that outdoor activities could be discussed during the American Rescue Plan funding discussion.   |
| Council Member Abraham             | Commented that the pandemic really brought more residents outdoors for recreation, and there has been an increase in demand for trails, pathways, enhancing the Aquatic Center, building a cricket pitch, and pickleball courts. She thanked the residents for their comments. She said that there will be discussions during the strategy session, and leading up to the next budget.   |
| Council Member Chamberlain-Creanga | Commented that a resident that she knows reached out to her regarding pickleball courts, and she is a passionate supporter of recreation. She said that pickleball, cricket and the Aquatic Center are all important items to discuss during strategy discussions. She said that she understands the survey results show other priorities, so perhaps we are missing something from that survey. She suggested taking those results, holding focus groups, and get a wider sense of the priorities of the community, but not wait until November to do this.   |
| Mayor Baker                        | Commented that there is a consensus of City Council to request a report of next steps from Mr. Miller in regards to the survey results.  |
| Council Member Hodorek             | Commented that the City is still in recovery from the difficult decisions that have had to be made over the recent years. She said that the City Council is unable to adjust the millage due to the tax cap amendment to the City Charter, and approximately 10 years ago, we almost had to close down our Recreation Department. She said that since then, our property values have come up and we are finally able to restore services. She said City Council knows pickleball is very popular, but we have to be thoughtful and careful about how we spend our budget money, so we need to consider all the needs of the residents. She said she hears the residents, and Council will balance the desired amenities with a pragmatic approach to spending. |

The Meeting **RECESSED** at 9:18 PM.

The Meeting **RECONVENED** at 9:25 PM.

## **H. POSTPONED ITEMS:**

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### **H-1 No Postponed Items**

## **I. REGULAR BUSINESS:**

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### **I-1 Board and Committee Appointments: a) Mayoral Appointments – None; b) City Council Appointments – None**

a) Mayoral Appointments: None

b) City Council Appointments: None

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

a) Mayoral Nominations: None

b) City Council Nominations: None

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### **I-3 No Closed Session Requested**

## **J. CONSENT AGENDA:**

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

Resolution #2021-07-108-J-1a

Moved by Abraham

Seconded by Hamilton

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

Yes: All-7

No: None

### **MOTION CARRIED**

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

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

Resolution #2021-07-108-J-2

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

- a) City Council Minutes-Draft – June 28, 2021

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

Resolution #2021-07-108-J-3

- a) Proclamation Celebrating Star Scout Parker Mills Recipient of the Boy Scouts of America Heroism Honor Award  
 b) Proclamation to Celebrate National Disability Independence Day – July 26, 2021

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**J-4 Standard Purchasing Resolutions:**

- a) **Standard Purchasing Resolution 2: Low Bidder Meeting Specifications - Water System Materials**

Resolution #2021-07-108-J-4a

RESOLVED, That Troy City Council hereby **AWARDS** a one-year contract to provide requirements for Water System Materials to the low bidders as detailed below, at the unit prices contained in the bid tabulation opened June 17, 2021, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with the contract expiring June 30, 2022.

|                                 |   |  |
|---------------------------------|---|--|
| Core & Main– Shelby Twp., MI    | Item #1 Curb Box Items  | \$15,188.50  |
| Etna Supply– Grand Rapids, MI   | Item #2 Water Service Parts   | \$179,477.50   |
| Ferguson Waterworks- Warren, MI | Item #3 Repair Clamps<br>Item #4 Brass Saddles<br>Item #5 Mueller Complete Fire Hydrants<br>Hydrant & Valve Parts | 52% List Discount<br>45% List Discount<br>45% List Discount<br>25% List Discount |

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

- b) **Standard Purchasing Resolution 1: Award to Low Bidder – Contract 21-03 – SE Section 18 Pavement Rehabilitation**

Resolution #2021-07-108-J-4b

RESOLVED, That Troy City Council hereby **AWARDS** Contract No. 21-03, SE Section 18 Pavement Rehabilitation, to *Pro-Line Asphalt Paving Corp.*, 11797 29 Mile Road, Washington, MI 48895, for their low bid of \$1,089,700.

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 25% of the total project cost.

- c) **Standard Purchasing Resolution 2: Award to Low Bidder Meeting Specifications and Standard Purchasing Resolution 4: OMNIA Purchasing Cooperative Contract – Community Center Phase II (Sections A, B, C, K, L and M and Alternate Section J) Roof Replacement**

Resolution #2021-07-108-J-4c

RESOLVED, That Troy City Council hereby **AWARDS** contracts for the Community Center Phase II Roof Replacement as per bid specifications to the low bidder meeting specifications, *Lutz Roofing Company, Inc. of Shelby Township, MI* for an estimated total cost of \$964,000 at unit prices contained in the bid tabulation opened June 24, 2021; a copy of which shall be **ATTACHED** to the original Minutes of this meeting, and to *The Garland Company, Inc. of Cleveland, OH*, based on the OMNIA Partners Cooperative Purchasing Contract for \$872,839.33 for an estimated total cost of \$1,836,839.33 with a contingency of \$163,160.67 for a total amount not to exceed \$2,000,000.

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

- d) **Standard Purchasing Resolution 4: Sourcewell Cooperative Purchasing Contract – Upgrade of Disk-Based Backup System**

Resolution #2021-07-108-J-4d

WHEREAS, The Information Technology Department utilizes a disk-based backup system that requires additional capacity and allows for the use of newer technology;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** a contract to purchase one (1) EX63000E-SEC encrypted disk backup system from *CDW-G, of Chicago, IL*, through the Sourcewell Cooperative Contract #081419-CDW for the cost of \$55,5000 and one (1) year of maintenance for \$7,550 for an estimated total cost of \$63,050; with ongoing annual maintenance at approximately \$7,550 per year after the initial year.

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**J-5 2021 Oakland County Local Road Improvement Program – Wilshire Drive – Project No. 20.106.5**

Resolution #2021-07-108-J-5

RESOLVED, That Troy City Council hereby **APPROVES** the 2021 Oakland County Local Road Improvement Program agreement between the City of Troy and the Board of Commissioners of the County of Oakland in the amount of \$420,477 at an estimated cost to the City of Troy of \$210,238 for the removal and replacement of select concrete pavement on Wilshire Drive, from Big Beaver to Crooks, and the Mayor and City Clerk are **AUTHORIZED** to execute the agreement, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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**J-6 Temporary Enclosures – A Resolution to Commence Enforcement of Regulations Related to Temporary Enclosures**

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Resolution #2021-07-108-J-6

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

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

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

WHEREAS, The City of Troy was impacted by the coronavirus (COVID-19), a respiratory disease that can result in serious illness and death.

WHEREAS, To protect Michigan residents from the coronavirus, the Governor of the State of Michigan issued numerous Executive Orders which negatively impacted businesses in the City of Troy, including reduced building capacity and limitations on gathering size; and,

WHEREAS, Based on feedback from many restaurant owners, on September 21, 2020, City Council passed Resolution #2020-09-137, directing City Administration to not enforce provisions of Sections 7.13 and 7.14 of Chapter 39, specifically related to hours of operation and duration and the requirement that temporary enclosures are permitted during periods of construction or for special events; and,

WHEREAS, This action assisted local businesses to convert outdoor patio space to indoor usable area via the construction of temporary enclosures; and,

WHEREAS, This action provided local businesses with the opportunity to generate revenue, attract patrons and stay competitive in spite of reduced building capacity and limitations on gathering size; and

WHEREAS, The City of Troy is no longer restricted by any Executive Order related to the coronavirus;

NOW, THEREFORE, BE IT RESOLVED, City Council hereby **DIRECTS** City Administration to **ENFORCE** provisions of Sections 7.13 and 7.14 of Chapter 39, beginning on November 22, 2021.

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



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**J-7 Request for Acceptance of a Permanent Easement from Robert Esling, III, Sidwell #88-20-19-304-004**

Resolution #2021-07-108-J-7

RESOLVED, That Troy City Council hereby **ACCEPTS** a permanent easement for storm sewers and surface drainage from Robert Esling, III, owner of the property having Sidwell #88-20-19-304-004.

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

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**J-8 Request for Acceptance of a Permanent Easement from Lisa K. Hawkins, Sidwell #88-20-19-304-005**

Resolution #2021-07-108-J-8

RESOLVED, That Troy City Council hereby **ACCEPTS** a permanent easement for storm sewers and surface drainage from Lisa K. Hawkins, owner of the property having Sidwell #88-20-19-304-005.

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

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**J-9 Request for Acceptance of a Permanent Easement from William Gadde, Sidwell #88-20-18-376-035**

Resolution #2021-07-108-J-9

RESOLVED, That Troy City Council hereby **ACCEPTS** a permanent easement for sanitary sewer from William Gadde, individually and as trustee of the Revocable Trust Agreement of William Gadde dated March 12, 2014, owner of the property having Sidwell #88-20-18-376-035.

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

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**J-10 *PolSELLI v. Troy et. al***

Resolution #2021-07-108-J-10

RESOLVED, That Troy City Council hereby **AUTHORIZES** and **DIRECTS** the City Attorney's Office to represent the City of Troy in the *PolSELLI v. Troy et. al* case, Oakland County Circuit Court Case Number 2021-188625-NI, and **AUTHORIZES** the payment of necessary costs and expenses, including the retention of any witnesses (including experts) that are required to adequately represent the Troy defendants.

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**J-11 Tennille Viau v. Troy et. al**

Resolution #2021-07-108-J-11

RESOLVED, That Troy City Council hereby **AUTHORIZES** and **DIRECTS** the City Attorney's Office to represent the Troy defendants in the *Viau v. Troy et. al* case, U.S. District Court, Eastern District of Michigan, Case Number 2:21-cv-11169, and **AUTHORIZES** the payment of necessary costs and expenses, including the retention of any witnesses (including experts) that are required to adequately represent the Troy defendants.

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

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

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

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**L. COUNCIL REFERRALS:**

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

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**L-1 No Council Referrals**

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**M. REPORTS:**

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**M-1 Minutes – Boards and Committees: None Submitted**

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**M-2 Department Reports:**

- a) 2021 Electric Vehicle Charging Station – Background and Funding Options
- b) Repurposing of the Game Room at the Community Center
- c) 2<sup>nd</sup> Quarter 2021 Litigation Report

Noted and Filed

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

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

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**M-5 Notice of Hearing of the Electric Customers of DTE Electric Company Case No. U-20865**

Noted and Filed

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**M-6 Notice of Hearing of the Electric Customers of DTE Electric Company Case No. U-20866**

Noted and Filed

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**M-7 Notice of Hearing of the Electric Customers of DTE Electric Company Case No. U-20871**

Noted and Filed

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**M-8 Notice of Hearing of the Electric Customers of DTE Electric Company Case No. U-21044**

Noted and Filed

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**N. COUNCIL COMMENTS:**

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**N-1 Council Comments**

Council Member Erickson-Gault thanked City Manager Miller and Staff for the report on electric vehicle charging stations. She commented that she would like City Council to discuss this topic during the strategy sessions and consider a public-private partnership.

Mayor Baker commented that he encourages City Council to do anything from a policy standpoint to make Troy competitive, and he encourages the public-private partnership.

Council Member Chamberlain-Creangă commented on electric vehicle charging stations and asked about the opportunities for funding opportunities for developers and private property owners. City Manager Miller commented that the report contains a list of potential funding sources. Council Member Chamberlain-Creangă asked if there are opportunities through the DDA and requested input from businesses or from the business survey that was conducted. Assistant City Manager Bruner indicated that they are still working on the business survey.

Council Member Brooks said that the City is behind in providing electric vehicle charging stations in Troy. She encourages the City to explore ways to improve in this area.

Council Member Abraham commented that there are opportunities to explore electric vehicle charging stations during the Joint Special Meeting with the Planning Commission and upcoming discussions on the Master Plan and new developments in the City.

Council Member Hodorek commented that times are changing and it makes sense from a policy standpoint to explore electric vehicle charging stations in the City.

Council Member Brooks announced the Troy Garden Club Garden Walk on Wednesday, July 14, 2021, and tickets are available at the Historic Village from 9:00 AM – 6:00 PM.

Council Member Chamberlain-Creangă commented on the recent severe weather in the area. She asked if there are things residents can do to help prepare for severe weather.

Council Member Chamberlain-Creangă expressed sympathy to the family of the Detroit Fire Department Lieutenant Francis Dombrowski. She thanked the Troy Police Department for their efforts in keeping the community safe.

Council Member Hamilton announced that this Friday is the first Friday in about 10 years that the Troy Public Library will be open to the public and there will be a ribbon cutting to celebrate the event.

Mayor Baker commented that the Friday ribbon cutting will be 10:00 AM on Friday, July 16<sup>th</sup> at the Troy Public Library.

Mayor Baker thanked the Troy Fire Department and Troy Police Department for their handling of the tanker fire today, and the shooting incident last week.

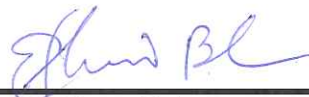
## O. CLOSED SESSION

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### O-1 No Closed Session

## P. ADJOURNMENT:

The Meeting **ADJOURNED** at 9:39 PM.



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Mayor Ethan Baker



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M. Aileen Dickson, MMC, MiPMC II  
City Clerk

**2021 SCHEDULED SPECIAL CITY COUNCIL MEETINGS:**

July 24, 2021 ..... Special Joint with Planning Commission (Training)  
November 13, 2021 ..... Special (Strategic Planning)

**2021 SCHEDULED REGULAR CITY COUNCIL MEETINGS:**

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