



CITY COUNCIL

REGULAR MEETING

AGENDA

AUGUST 9, 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)

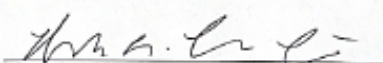
2. Any City Council member may detail a suspected violation of this Code of Ethics by another City Council member, and forward this to the Troy City Council for action. The accused City Councilmember shall have an opportunity to respond to the allegations. If after considering all of the information, 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

August 9, 2021 – 7:30 PM

City Council Chambers

500 W. Big Beaver Rd.

Troy, MI 48084

(248) 524-3316

View the Meeting Live at: www.troymi.gov/webcast

or on Local Access Cable Channels

(WOW – Ch 10, Comcast – Ch 17, AT&T – Ch 99)

INVOCATION: 1

PLEDGE OF ALLEGIANCE: 1

A. CALL TO ORDER: 1

B. ROLL CALL: 1

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS: 1

C-1 American Lung Association Presentation to the City of Troy – Fire Department Stair Climb Fundraiser *(Presented by: Maureen Rovas, Executive Director, American Lung Association)* 1

C-2 2021 Youth Achievement Award Winners of the Annual SAFEbuilt Scholarship – Julia Levy and Arjun Tholapakalli *(Presented by: Cindy Stewart, Community Affairs Director; Dana Self, Building Official; Paul Featherston, SAFEbuilt Regional Operations Manager)* 1

C-3 Proclamation Celebrating Carter Koenigsknecht Second Place Winner in the National Kids Idea Tank Competition *(Presented by: Mayor Ethan Baker)* 1

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E-1 No Public Hearings 2

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INVOCATION:**PLEDGE OF ALLEGIANCE:****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 #2021-08-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of _____ at the Regular City Council Meeting of August 9, 2021, due to _____.

Yes:

No:

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 American Lung Association Presentation to the City of Troy – Fire Department Stair Climb Fundraiser (*Presented by: Maureen Rovas, Executive Director, American Lung Association*)

C-2 2021 Youth Achievement Award Winners of the Annual SAFEbuilt Scholarship – Julia Levy and Arjun Tholakapalli (*Presented by: Cindy Stewart, Community Affairs Director; Dana Self, Building Official; Paul Featherston, SAFEbuilt Regional Operations Manager*)

C-3 Proclamation Celebrating Carter Koenigsknecht Second Place Winner in the National Kids Idea Tank Competition (*Presented by: Mayor Ethan Baker*)

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:**E-1 No Public Hearings**

F. PUBLIC COMMENT:**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, 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:

Please direct your comments to the City Council as a whole rather than to any individual. Please do not use expletives or make derogatory or disparaging comments about any individual or group. If you do, there may be immediate consequences, including being muted and having your comments omitted from any re-broadcast of the meeting. Please abide by these rules in order to minimize the possibility of disrupting the meeting.

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 – Brownfield Redevelopment Authority, Global Troy Advisory Committee; b) City Council Appointments – None**

a) Mayoral Appointments:

Suggested Resolution

Resolution #2021-08-

Moved by

Seconded by

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:

Brownfield Redevelopment Authority

Appointed by Mayor

6 Regular Members

3 Year Term

Term Expires: 4/30/2024

Joseph Vassallo

Term currently held by: Joseph Vassallo

Global Troy Advisory Committee

Appointed by Mayor

12 Regular Members

3 Year Term

Term Expires: 7/31/2022

Allison Liu

Student

Term currently held by: Allison Liu – Graduates 2022

Term Expires: 7/31/2022

Abiramasundari Swaminathan

Student

Term currently held by: Arjun Tholakapalli – Graduates 2021

Yes:

No:

b) City Council Appointments: None

- I-2 Board and Committee Nominations: a) Mayoral Nominations – Downtown Development Authority, Global Troy Advisory Committee, Local Development Finance Authority; b) City Council Nominations – Parks & Recreation Board, Traffic Committee**

a) Mayoral Nominations:

Suggested Resolution

Resolution #2021-08-

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:

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; GTAC, 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	6/28/2023	9/30/2021	In District	
Reschke	Ernest	10/4/2020	9/30/2022	At Large	
Schroeder	Douglas	9/10/2020	9/30/2022	At Large	
Stone	David	3/11/2023	9/30/2023	In District	
Tomcsik-Husak	Tara	9/22/2022	3/30/2024	In District	
Vacancy			9/30/2022	At Large	Ward Randol Jr. resigned 2/1/2021

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

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

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 1	Notes 2
Ashland	David	11/14/2021	At Large	Liquor Adv Comm exp 1/31/2024

Beyer	Joseph	10/26/2022	In District	
Crawford	Timothy	6/26/2021	At Large	
Forster	Jeffrey	3/23/2023	At Large	Personnel Bd exp 4/30/2024
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	
Patel	Hitesh	3/23/2023	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	Brownfield Redev Auth exp 4/30/2021

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	9/10/2020	10/30/2022	
<i>Liu</i>	<i>Allison</i>	<i>10/1/2022</i>	<i>7/31/2021</i>	<i>Student</i>
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	
<i>Tholakapalli</i>	<i>Arjun</i>	<i>4/10/2021</i>	<i>7/31/2020</i>	<i>Student</i>
Vacancy			10/30/2023	Rebecca Chamberlain-Creangă resigned 2/26/2020
Vacancy			10/30/2023	Cathleen Francois requested No Reappointment

Zhou	Yudong	10/23/2021	10/30/2022	
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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
Cicchini	Philippe	4/13/2023	
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
MacDonell	Sharon	4/13/2023	
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	City Council exp. 11/13/2023; DDA; GTAC, LDFA
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 exp 11/8/2021
Hunter	Daniel			Oakland County Designee	
Vacancy			6/30/2023	Resident Member	Paul V. Hoef resigned 4/27/2021
Vacancy			6/30/2024	Resident Member	David Shield's term exp 6/30/2016 - No Reappointment
Vacancy			6/30/2024	Resident Member	John Sharp's unexpired term
Vacancy			6/30/2023	Resident Member	Nickolas Vitale resigned 7/17/2021

Nominations to the Local Development Finance Authority (LDFA):**Unexpired Term Expiring:
6/30/2023****Resident Member**

Term currently held by: Vacant – P. Hoef resigned 4/27/2021

**Unexpired Term Expiring:
6/30/2023****Resident Member**

Term currently held by: Vacant – N. Vitale resigned 7/17/2021

**Unexpired Term Expiring:
6/30/2024****Resident Member**

Term currently held by: Vacant– D. Shields–No Reappointment

**Unexpired Term Expiring:
6/30/2024****Resident Member**

Term currently held by: Vacant – J. Sharp resigned 11/1/2019

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	Brownfield Redev Auth exp 4/30/2021
Yu	Fu-Shin	8/20/2021	

Yes:

No:

b) City Council Nominations:Suggested Resolution

Resolution #2021-08-

Moved by

Seconded by

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	Notes 3
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	7/2/2023	7/31/2021	Troy School Board of Education Rep	Requests Reappointment
Goul	Brian		12/31/2099		
Martin	Kelly	7/11/2021	9/30/2023		
Sahu	Akshitha	9/28/2022	7/31/2021	Student	Graduates 2023
Shepherd	John	7/19/2023	9/30/2021		
Thattai	Govindrajan	4/15/2023	9/30/2022		

Nominations to the Parks and Recreation Board:**Term Expires: 7/31/2022****Troy School Board
of Education Rep**

Term currently held by: Timothy Fulcher

Term Expires: 7/31/2022**Student**

Term currently held by: Akshitha Sahu - Graduates 2023

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 1
Liu	Allison	10/1/2022	Student – Graduates 2022
Sahu	Akshitha	9/28/2022	Student – Graduates 2023

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		12/31/2099	Ex-Officio Member	
Kilmer	Richard	1/9/2019	1/31/2023		
Nastasi	Frank		12/31/2099	Ex-Officio Member	
Nurak	Cindy	1/16/2021	1/31/2022		
Petrulis	Al	12/16/2021	1/31/2023		ACAB exp 9/30/2021; HDC exp 3/1/2023
Riesterer	R. Chuck		12/31/2099	Ex-Officio Member	
Shende	Alankar	7/18/2021	7/31/2021	Student	Graduates 2021
Sivaraman	Sunil	12/22/2020	1/31/2022		
Swaminathan	Abi	3/6/2022	1/31/2024		
Wilsher	Cynthia	1/18/2020	1/31/2024		
Ziegenfelder	Peter	12/4/2021	1/31/2023		

Nominations to the Traffic Committee:**Term Expires: 7/31/2022**

Term currently held by: Alankar Shende - Graduates 2021

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 1
Sahu	Akshitha	9/28/2022	Student – Graduates 2023

Yes:

No:

I-3 Request for Closed SessionSuggested Resolution

Resolution #2021-08-

Moved by

Seconded by

BE IT RESOLVED, That Troy City Council **SHALL MEET** in Closed Session, as permitted by MCL15.268 (e) Pending Litigation – Kiera Grier v. *City of Troy, et. al.*

Yes:

No:

I-4 Bid Waiver – Parks Maintenance Equipment (First Products AERA-vator and TURFCO Mete-R-Matic XL Top Dresser (Introduced by: Dennis Trantham, Facilities and Grounds Operations Manager)

Suggested Resolution

Resolution #2021-08-

Moved by

Seconded by

RESOLVED, That in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **AWARDS** a contract for the purchase of Parks Maintenance Equipment including one (1) First Products AERA-vator with associated accessories and one (1) TURFCO Mete-R-Matic XL Top Dresser from the authorized distributor *Spartan Distributors of Sparta, MI*, for an estimated total cost of \$38,804.79.

Yes:

No:

I-5 Annual Designation of MML Voting Delegate and Alternate (Introduced by: Mark F. Miller, City Manager)

Suggested Resolution

Resolution #2021-08-

Moved by

Seconded by

BE IT RESOLVED, That City Council **APPOINTS** _____ to be the voting delegate and _____ to be the alternate for the Michigan Municipal League 2021 Annual Meeting being held at 4:15pm on Wednesday, September 22, 2021 in Ambassador Ballroom East at the Amway Grand Hotel, Grand Rapids, MI.

Yes:

No:

J. CONSENT AGENDA:

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

Suggested Resolution

Resolution #2021-08-

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 #2021-08-

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

- a) Special Joint City Council and Planning Commission Minutes-Draft – July 24, 2021
- b) City Council Minutes-Draft – July 26, 2021

J-3 Proposed City of Troy Proclamations: None Submitted

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 2: Award to Low Bidder Meeting Specifications – Holiday Lights – Lights of Hope**

Suggested Resolution

Resolution #2021-08-

RESOLVED, That Troy City Council hereby **AWARDS** a contract for Proposals A, B, C, D and E for Holiday Lights as specified to the low bidder meeting specifications, *Landscape Services, Inc. of Clinton Twp., MI*, for an estimated cost for installation and removal of \$29,835 and replacement materials at unit prices contained in the bid tabulation, opened July 22, 2021; not to exceed budgetary limitations; 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 contract documents, including insurance certificates and all other specified requirements.

- b) **Standard Purchasing Resolution 2: Award to Sole Bidder Meeting Specifications – 2021 Street Tree Planting**

Suggested Resolution

Resolution #2021-08-

RESOLVED, That Troy City Council hereby **AWARDS** a contract to provide and install on as needed basis ball and burlap or container grown trees to the sole bidder meeting specifications;

Marine City Nursery Company of Marine City, MI, at unit prices contained in the bid tabulation opened July 22, 2021; not to exceed budgetary limitations; a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with the contract expiring June 30, 2022.

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

c) Standard Purchasing Resolution 4: State of Michigan MiDeal Purchasing Cooperative – DPW Construction Equipment

Suggested Resolution
Resolution #2021-08-

RESOLVED, That Troy City Council hereby **APPROVES** a contract to purchase one (1) John Deere 410L Backhoe for an estimated total cost of \$98,839.23 and one (1) Felling Equipment Trailer for an estimated total cost of \$22,681.90 from the low total bidder, *AIS Construction Equipment Company of New Hudson, MI*, as per the State of Michigan MiDeal Cooperative Contract for an estimated total cost of \$121,521.13.

d) Standard Purchasing Resolution 5: Approval to Expend Budgeted Funds – Department of Public Works Main Facility and Parks Garage Heating and Cooling Unit Replacements

Suggested Resolution
Resolution #2021-08-

RESOLVED, That Troy City Council hereby **APPROVES** expending budgeted capital funds to *Lennox Industries of Troy, MI*, which is the City's HVAC equipment supplier (Resolution #2021-07-113) for the purchase of rooftop heating and cooling units and split furnace and air conditioning units for the Department of Public Works Main Facility and the Parks Garage for an estimated cost of \$46,853 not to exceed budgetary limitations.

e) Standard Purchasing Resolution 5: Approval to Expend Budgeted Funds – Stage Nature Center Heating and Cooling Unit Replacements

Suggested Resolution
Resolution #2021-08-

RESOLVED, That Troy City Council hereby **APPROVES** expending budgeted capital funds to *Lennox Industries of Troy, MI*, which is the City's HVAC equipment supplier (Resolution #2021-07-113) for the Stage Nature Center split furnace and air conditioning replacement units for an estimated cost of \$22,566 not to exceed budgetary limitations.

f) Standard Purchasing Resolution 9: Approval to Expend Funds for Membership Dues and Renewals Over \$10,000 – Southeast Michigan Council of Governments (SEMCOG)

Suggested Resolution
Resolution #2021-08-

RESOLVED, That approval is **GRANTED** to pay membership dues to the Southeast Michigan Council of Governments (SEMCOG) in the amount of \$10,777.00, which covers the time period of July, 2021 to July, 2022.

g) Standard Purchasing Resolution 10: Travel Authorization and Approval to Expend Funds for Troy City Council Member Travel - 2021 Michigan Municipal League Convention

Suggested Resolution
Resolution #2021-08-

RESOLVED, That Council **AUTHORIZES** City Council Member travel expenses for the Michigan Municipal League 2021 Convention, in accordance with accounting procedures of the City of Troy.

J-5 Request to Temporarily Waive Parking Restrictions – Shir Tikvah

Suggested Resolution
Resolution #2021-08-

RESOLVED, That the City Council of the City of Troy hereby **WAIVES** the no parking restrictions on the east side of Northfield Parkway from the parking lot entrance to Congregation Shir Tikvah to the entrance to Boulton Park, as follows:

Monday, September 6 from 7:00 p.m. to 11:00 p.m.
Tuesday, September 7 from 9:00 a.m. to 5:00 p.m.
Wednesday, September 15 from 7:00 p.m. to 11:00 p.m.
Thursday, September 16 from 9:00 a.m. to 9:00 p.m.

J-6 Evergreen-Farmington Drain District Agreement *(Introduced by: Lori Grigg Bluhm, City Attorney)*

Suggested Resolution
Resolution #2021-08-

RESOLVED, That the Troy City Council **APPROVES** the Evergreen-Farmington Sanitary Drain District Chapter 20 Section 471 Agreement, and **AUTHORIZES** the Mayor and City Clerk to execute the Agreement on behalf of the City of Troy; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-7 Application to De-List 6071 Livernois – Ye Olde Flower Barn

Suggested Resolution
Resolution #2021-08-

RESOLVED, That Troy City Council hereby **AMENDS** Section 3 of Chapter 13 of the City Code to eliminate 6071 Livernois as an historic district; a copy of the ordinance amending Chapter 13

shall be **ATTACHED** to the original Minutes of this meeting, and a copy of that ordinance shall be **RECORDED** with the Oakland County Register of Deeds as required by state statute.

J-8 Traffic Committee Recommendations and Minutes – July 21, 2021Suggested Resolution

Resolution #2021-08-

4. Request for Traffic Control – Wyngate Drive at Country Ridge Drive

RESOLVED, That the intersection of Wyngate Drive at Country Ridge Drive be **MODIFIED** from no traffic control to **ADD STOP** signs on the Country Ridge Drive approaches to the intersection.

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. COUNCIL REFERRALS:**

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

L-1 No Council Referrals**M. REPORTS:**

M-1 Minutes – Boards and Committees: None Submitted

M-2 Department Reports:

- a) Town Center Parking Lot Naming Solicitation Report

M-3 Letters of Appreciation:

- a) To City Treasurer Staff from Norman Mohr Regarding Excellent Customer Service

M-4 Proposed Proclamations/Resolutions from Other Organizations: None Submitted**N. COUNCIL COMMENTS:**

N-1 No Council Comments

O. CLOSED SESSION

O-1 Closed Session

P. ADJOURNMENT:

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark F. Miller", with a long horizontal flourish extending to the right.

Mark F. Miller
City Manager

2021 SCHEDULED SPECIAL CITY COUNCIL MEETINGS:

November 13, 2021 Special (Strategic Planning)

2021 SCHEDULED REGULAR CITY COUNCIL MEETINGS:

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

City Congratulates 2021 Youth Achievement Award Winners of the annual SAFEbuilt Scholarship

The Youth Achievement Awards are intended to honor and recognize those youth that live in the City, who have made a significant impact on the Troy community through volunteer work or other special deeds and actions, and who demonstrate exceptional leadership and career/academic purpose. The City of Troy's SAFEbuilt Inc. contributes the funds for these awards.

"SAFEbuilt is proud to support the local youth and the City by offering this scholarship opportunity," Troy's SAFEbuilt Building Official Dana Self said. "We were very impressed with the winners and congratulate Julia Levy and Arjun Tholakapalli for their commitment to giving back to Troy. Julia and Arjun represent the best of Troy's youth and are role models to their peers."

This year's first place graduating senior awardee is Julia Levy, a 2021 International Academy graduate. A class of 2021 IAE commencement speaker, Julia graduated Summa Cum Laude with a 4.41 GPA and in her four years at International Academy successfully completed 21 honors classes and 10 Diploma Programme (DP) Courses.

In addition to her exceptional academics, Julia was also an active member in extracurricular activities, including an Officer of National Honor Society (2020-2021); Founder and President of the International Academy East Book Club (2020-2021); IAE Drama Club Volunteer and Student Sponsor (2017-2021); Math Honor Society Member (2019-2021); Tri-M Music Honor Society (2019-2021); Spanish Honor Society Member (2020-2021); and Athens High School Tennis (2018-2021).

Julia was one of the organizers for the IAE Interact Club of the GROW Program for Special Needs Students, August 2017 through June 2019; Robot Science Camp volunteer in 2018; and Ambassador for Girl Scouts of Southeast Michigan since 2007. She is extremely proud of the many projects she has helped organize through Girl Scouts and IA East that have enabled her to serve her community and beyond. Teachers and Counselors praise Julia for excelling academically, as well as her compassion (honored as the IA Kindness Hero Award), excitement, passion and love for the STEM field. In the fall, Julia plans to attend Yale University and pursue a career in astrophysics.

This year's second place graduating senior awardee is Arjun Tholakapalli, a 2021 Troy High School graduate. He graduated with a 3.68 GPA and in his four years at Troy High, successfully completed seven AP classes and two honors classes. In addition to his exceptional academics, Arjun was also an active member in extracurricular activities, including Project LEAD (2017-2021); National Honor Society (2019-2021); and Student Congress (2017-2019). Arjun also served his community by serving on the Troy Public Library Teen Advisory Board (2017-2021) and the Global Troy Advisory Committee (2019-2021). He was an Honor Awardee for the United Nations Global Goals Impact National Community Service Award and received an outstanding citizen award by the Oakland County Sheriff.

Arjun served as the Chair of Elementary School Tutoring with Project LEAD and organized multiple tutoring sessions for students in the Troy School District. He is very proud of his involvement in their academic performance seeing continual improvement in their math, reading, writing, and homework assignments. Arjun was praised by teachers and counselors for his outgoing personality, passionate work ethic, and endless positivity. He sets goals for himself and outlines a path to achieve them. In the fall, Arjun plans to study Supply Chain Management at Michigan State University.

“Both Julia and Arjun are to be commended for their accomplishments, leadership, and dedication to bettering Troy,” Mayor Ethan Baker said. “The City of Troy is very fortunate to have young people like Julia and Arjun who regularly give back to our community, making it an exceptional place to live. We wish them success this fall as they continue their studies at Yale University and Michigan State University.”

**PROCLAMATION CELEBRATING
CARTER KOENIGSKNECHT
SECOND PLACE WINNER IN THE NATIONAL
KIDS IDEA TANK COMPETITION**

WHEREAS, Troy resident **Carter Koenigsknecht** entered a national competition developed by author Lowey Sichol who has written marketing books aimed at kids and is the founder of Kids Idea Tank; and

WHEREAS, **Carter**, a 13-year-old student at Roeper School, discovered the contest information on the author's website. He had a Small Business City Boxes idea that he had thought about and decided to develop it and enter the competition; and

WHEREAS, **Carter's** idea to highlight small businesses in certain cities with a subscription box won second place in the national contest. He has always loved getting subscription boxes, but never knew of any that supported small businesses; and

WHEREAS, It was during the COVID pandemic that **Carter** first thought about the Small Business City Boxes which he hoped would help the smaller struggling local businesses. He plans to market the boxes to area hotels who would use the boxes for their visiting guests to get to know more about the city they are visiting. Subscription buyers could also learn about that month's city and the local small businesses; and

WHEREAS, Carter's idea for the Detroit box would have a "Motor City flavor" with products such as Faygo and Chunk Nibbles. He plans on starting local and as the business grows he hopes to move onto other Midwest cities and eventually the entire United States;

NOW, THEREFORE, BE IT RESOLVED, That the Mayor and City Council of the City of Troy hereby applaud and congratulate **Carter Koenigsknecht** for earning second place in the national Kids Idea Tank contest; and

BE IT FURTHER RESOLVED, That the Mayor and City Council of the City of Troy invite all residents to recognize and celebrate the ingenuity and creativity of **Carter Koenigsknecht**, a future entrepreneur.

Presented this 9th August 2021



500 West Big Beaver
Troy, MI 48084
troymi.gov

I-04

CITY COUNCIL AGENDA ITEM



Date: August 2, 2021

To: Mark F. Miller, City Manager

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

Subject: Bid Waiver – Parks Maintenance Equipment (First Products AERA-vator and TURFCO Mete-R-Matic XL Top Dresser)

History

The Parks Division is responsible for the maintenance of the athletic fields in the City of Troy Parks. Athletic field turf requires more maintenance with specialized equipment than a typical lawn. For athletic fields, the turf maintenance is a matter of safety similar to a sidewalk or any other type of flooring. In addition to fertilizing the fields to encourage turf growth the practice of top dressing and aerification are key in not only beneficial growing conditions but also in ensuring the fields are safe.

The current aerator is a core type aerator and is limited in its use because of the demand on our fields. A core aerator physically removes cores from the turf and requires the cores to be broken up or removed. This practice renders the field unusable until this task is completed.

An AERA-vator aerates in a similar, but different fashion. Instead of removing the cores from the field, this piece of equipment aerates by fracturing the soil around the tine leaving the field playable instantly. This piece of equipment will also be used for over seeding the turf.

Top dressing allows the fields to receive additional materials to maintain the crown of the field or to fill in low spots. Top dressing often comes after the aeration process. It is this process that aids in improving soil quality by amending the surface. The current top dresser is over 20 years old and has reached the end of its service life, which has prompted replacement.

Purchasing

- *Spartan Distributors of Sparta, MI* is the sole source dealer authorized for sales and service for First Products AERA-vator and TURFCO Mete-R-Matic XL Top Dresser for Michigan.
- It is in the best interest of the City to waive the bid process and purchase these two specific pieces of equipment from the sole source distributor *Sparta Distributors of Sparta, MI* for an estimated cost of \$41,804.79 less a trade-in value of \$3,000 for two (2) TORO Groundsmasters 580D for an estimated total cost of \$38,804.79 as detailed in the attached quote dated June 17, 2021.



500 West Big Beaver
Troy, MI 48084
troymi.gov

CITY COUNCIL AGENDA ITEM

Financial

Funds are budgeted and available in the DPW-Admin Capital Fund under Project Numbers 2022C0056 for the Top Dresser and 2022C0057 for the AERA-vator for the 2022 fiscal year. Expenditures will be charged to account number 401.464.7978.010.

Recommendation

City Management recommends waiving the bid process and awarding a contract to purchase one (1) First Products AERA-vator with associated accessories and one (1) TURFCO Mete-R-Matic XL Top Dresser from the authorized distributor, *Spartan Distributors of Sparta, MI*, for \$38,804.79, which includes the trade-in of 2 Toro Groundsmaster 580D mowers at prices detailed in the attached quote.

June 17, 2021

City of Troy
Attn: Dennis Trantham
4693 Rochester Rd
Troy, MI 48085

487 W Division Street
PO Box 246
Sparta, MI 49345
616.887.7301
Fax: 616.887.6288

1050 Opdyke Road
Auburn Hills, MI 48326
248.373.8800
Fax: 248.373.8899

Dear Dennis,

We are pleased to provide a quote on the following equipment:

(1) First Products 60" AERA-vator		\$ 22,768.79
• (1) UA60 Frame w/Rake & Standard Roller (less shaft) (#UA82-21)	6,426.83	
• (1) UA60 AE Shaft (#UA82-015)	3,796.64	
• (1) UA60 Multi Tine Shaft (#UA82-049)	3,796.64	
• (1) UA60 Power Seeder Shaft (#UA82-077)	4,503.92	
• (1) UA60 Seed Box (#SB82-001)	3,744.76	
• Freight	500.00	
(1) Turfco Mete-R-Matic XL Top Dresser (#85460)		\$ 19,036.00
• Tow Behind, Ground Driven	18,536.00	
• Freight	500.00	
	Less Trades	\$ -3,000.00
• (1) TORO Groundsmaster 580D (#30581-90348), 1999, 810 hours (probable change in hour meter due to failure)	-1,000.00	
• (1) TORO Groundsmaster 580D (#30582-260000107), 2006, 2907 hours	-2,000.00	
<p>Parts for the TORO 580Ds are not as "readily" available based on the age of the units. The 1999 model is 21 years old and the 2006 model is 14 years old. I have listed some of the components below to consider for availability and pricing. I am not saying that the following are all bad. The only way to verify is to take each unit and go through the entire machine with diagnostic tools and inspect the entire unit for any suspicious leaks and failures by pressure testing the systems. As your representative from Spartan Distributors, Inc. I can speak directly to you about this matter at any time as to what would be the best measure for the City of Troy.</p>		
• Hydrostat Pump Assembly (#106-0335)	• PTO Manifold Assembly	
• 4-Wheel Drive Control Block Assembly (#100-3921)	• Deck Manifold Assembly (#95-5908)	
• Control Valve Assembly (#69-1780)	• Hydrostat Pump Assembly (#106-0335)	
• Planetary Gear Assembly (#69-1730)		
	TOTAL	\$ 38,804.79

Pricing is firm for 30 days from date of quotation.

DELIVERY: As Arranged

TERMS: Net 30 Days

Thank you for your interest in our line of equipment. If you have any questions, please feel free to call me at 800-822-2216.

Sincerely,

Tom Gill

Tom Gill
Commercial Sales

July 2, 2021

Michigan Municipal League Annual Meeting Notice



(Please present at the next Council, Commission or Board Meeting)

Dear Official:

The Michigan Municipal League Annual Convention will be held in Grand Rapids, September 22-24, 2021. The League's "Annual Meeting" is scheduled for 4:15 pm on Wednesday, September 22 in Ambassador Ballroom East at the Amway Grand Hotel. The meeting will be held for the following purposes:

1. Election of Trustees. To elect six members of the Board of Trustees for terms of three years each (see #1 on page 2).
2. Policy. A) To vote on the Core Legislative Principles document.

In regard to the proposed League Core Legislative Principles, the document is available on the League website at <http://www.mml.org/delegate>. If you would like to receive a copy of the proposed principles by fax, please call Monica Drukis at the League at 800-653-2483.

B) If the League Board of Trustees has presented any resolutions to the membership, they also will be voted on. (See #2 on page 2.)

In regard to resolutions, member municipalities planning on submitting resolutions for consideration by the League Trustees are reminded that under the Bylaws, they must be submitted to the Trustees for their review by August 20, 2021.

3. Other Business. To transact such other business as may properly come before the meeting.

Designation of Voting Delegates

Pursuant to the provisions of the League Bylaws, you are requested to designate by action of your governing body one of your officials who will be in attendance at the Convention as your official representative to cast the vote of the municipality at the Annual Meeting, and, if possible, to designate one other official to serve as alternate. Please submit this information through the League website by visiting <http://www.mml.org/delegate> no later than August 20, 2021.

We love where you live.



Regarding the designation of an official representative of the member to the annual meeting, please note the following section of the League Bylaws:

“Section 4.4 - Votes of Members. Each member shall be equally privileged with all other members in its voice and vote in the election of officers and upon any proposition presented for discussion or decision at any meeting of the members. Honorary members shall be entitled to participate in the discussion of any question, but such members shall not be entitled to vote. The vote of each member shall be cast by its official representative attending the meeting at which an election of officers or a decision on any proposition shall take place. Each member shall, by action of its governing body prior to the annual meeting or any special meeting, appoint one official of such member as its principal official representative to cast the vote of the member at such meeting, and may appoint one official as its alternate official representative to serve in the absence or inability to act of the principal representative.”

1. Election of Trustees

Regarding election of Trustees, under Section 5.3 of the League Bylaws, six members of the Board of Trustees will be elected at the annual meeting for a term of three years. The regulations of the Board of Trustees require the Nominations Committee to complete its recommendations and post the names of the nominees for the Board of Trustees on a board at the registration desk at least four hours before the hour of the business meeting.

2. Statements of Policy and Resolutions

Regarding consideration of resolutions and statements of policy, under Section 4.5 of the League Bylaws, the Board of Trustees acts as the Resolutions Committee, and “no resolution or motion, except procedural and incidental matters having to do with business properly before the annual meeting or pertaining to the conduct of the meeting, shall be considered at the annual meeting unless it is either (1) submitted to the meeting by the Board of Trustees, or (2) submitted in writing to the Board of Trustees by resolution of the governing body of a member at least thirty (30) days preceding the date of the annual meeting.” Thus, the deadline this year for the League to receive resolutions is **August 20, 2021**. Please submit resolutions to the attention of Daniel P. Gilmartin, Executive Director/CEO at 1675 Green Rd., Ann Arbor, MI 48105. Any resolution submitted by a member municipality will go to the League Board of Trustees, serving as the resolutions committee under the Bylaws, which may present it to the membership at the Annual Meeting or refer it to the appropriate policy committee for additional action.

Further, “Every proposed resolution submitted by a member shall be stated in clear and concise language and shall be accompanied by a statement setting forth the reasons for recommending the proposed resolution. The Board shall consider the proposal at a Board meeting prior to the next annual meeting and, after consideration, shall make a recommendation as to the advisability of adopting each such resolution or modification thereof.”

We love where you live.



3. Posting of Proposed Resolutions and Core Legislative Principles

The proposed Michigan Municipal League Core Legislative Principles and any new proposed Resolutions recommended by the Board of Trustees for adoption by the membership will be available on the League website, or at the League registration desk to permit governing bodies of member communities to have an opportunity to review such proposals and delegate to their voting representative the responsibility for expressing the official point of view of the member at the Annual Meeting.

The Board of Trustees will meet on Tuesday, September 21 at Amway Grand Hotel for the purpose of considering such other matters as may be requested by the membership, in addition to other agenda items.

Sincerely,



William Wild
President
Mayor, City of Westland



Daniel P. Gilmartin
Executive Director & CEO



We love where you live.

SPECIAL JOINT CITY COUNCIL & PLANNING COMMISSION MINUTES-Draft July 24, 2021**A. CALL TO ORDER:**

A Joint Special Meeting of the Troy City Council and Planning Commission was held on Saturday, July 24, 2021, at the Troy Community Center, 3179 Livernois Rd., Troy, MI 48083. Mayor Baker called the meeting to order at 8:00 AM.

B. ROLL CALL:

(a)

<u>City Council</u>	<u>Planning Commission</u>
Mayor Ethan Baker	Carlton Faison
Edna Abraham	Michael Hutson
Mayor Pro Tem Theresa Brooks - Absent	Tom Krent
Rebecca Chamberlain-Creanga	David Lambert – Absent
Ann Erickson Gault	Lakshmi Malalahalli
David Hamilton	Marianna Perakis – Absent
Ellen Hodorek	Sadek Rahman
	Jerry Rauch
	John Tagle

(b) Absent Council Members:

Resolution #2021-07-109

Moved by Baker

Seconded by Hamilton

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of Council Member Brooks at the Special Joint Meeting between City Council and the Planning Commission on Saturday, July 24, 2021 due to being out of the county.

Yes: Baker, Abraham, Chamberlain-Creanga, Erickson Gault, Hamilton, Hodorek

No: None

Absent: Brooks

MOTION CARRIED**C. PUBLIC COMMENT:****D. BUSINESS STATED IN THE SPECIAL MEETING NOTICE:****D-1** Planning and Zoning Essentials**E. OTHER BUSINESS:**

F. ADJOURNMENT:

The Meeting **ADJOURNED** at 1:59 PM.

Mayor Ethan Baker

Robert J. Bruner
Assistant City Manager

2021 SCHEDULED SPECIAL CITY COUNCIL MEETINGS:

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

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 26, 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-Creanga
- Ann Erickson Gault
- David Hamilton
- Ellen Hodorek

Due to a medical emergency, Mayor Pro Tem Brooks participated virtually from her home in Troy, MI.

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

- C-1** Proclamation Celebrating Star Scout Parker Mills Recipient of the Boy Scouts of America Heroism Honor Award (*Presented by: Mayor Ethan Baker*)
- C-2** Proclamation to Celebrate National Disability Independence Day – July 26, 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:

Stephen Dunn	Spoke in opposition to a 5G transmitter pole
Michael Moriset	Spoke in opposition to a 5G transmitter pole
Ellen Strom	Spoke in opposition to a 5G transmitter pole
Nancy Randall	Spoke about the need for sound walls along I-75
William Gelder	Spoke about the need for blacktop on residential streets to reduce the noise from I-75
Loraine Scussel	Spoke about the noise from I-75
Mike Labadie	Spoke about the noise from I-75
Chris Steele	Spoke about the noise from I-75
Michael Shea	Spoke about the noise from I-75 and the need for a sound study

Richard Dimaggio	Spoke about the noise from I-75
Jason Kong	Spoke in opposition to a 5G transmitter pole
John Zapytowski	Spoke in opposition to a 5G transmitter pole
Fnu Suresh	Spoke about the noise from I-75
James Andrews	Spoke about the noise from I-75
Dudley Wellington	Spoke in opposition to a 5G transmitter pole
Anthony Butcher	Spoke about the noise from I-75
Sandra Sands	Spoke about the noise from I-75
Bhapinder Puri	Spoke about the noise from I-75
Tighe Keating	Spoke in opposition to a 5G transmitter pole
Michael Willis	Commented on recycling programs
Kathleen O'Laughlin	Commented on convention of states event

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

City Manager Miller	<p>Spoke about the 5G transmitter pole to clarify that the FCC prohibits local regulation based on health concerns. He added that the City has scheduled a meeting with the Verizon engineers.</p> <p>Commented that he is working closely with legislators regarding the noise issues from I-75.</p>
City Attorney Bluhm	<p>Commented that the City has done everything in its power to keep the law from going into place. She said the FCC preempted local municipalities from taking any action based on health concerns. She also commented that the State of Michigan has removed local control.</p>
Mayor Baker	<p>Commented that City Manager Miller is working very closely with legislators about the noise issues. He said he will continue to fight for the residents of Troy and push for another sound study.</p> <p>Commented on the 5G pole issue and the law was passed during a lame duck session removing local control. He said state law limits what the City can do and City Management scheduling a meeting with Verizon is a good first step.</p>
Council Member Chamberlain-Creanga	<p>Thanked Troy residents for speaking about the 5G pole. She requested that residents be notified when this type of permit is filed, as well as to approve a resolution to send a message to Lansing.</p>
Council Member Hamilton	<p>Thanked Troy residents for meeting with him to discuss the 5G pole issue. He requested approving a resolution to send a unified message to the state and federal governments.</p>
Council Member Abraham	<p>Spoke about the noise concerns with I-75 and said City Council is committed to working with the legislators to see what can be done despite minimal influence. She stressed the importance for residents to stay engaged with legislation at the state level, particularly in the lame duck sessions.</p>

Council Member Hodorek	<p>Thanked the residents for sharing their concerns. She said City Council and Administration have worked hard to have more local control, but the law passed anyway.</p> <p>She said noise concerns with I-75 have been huge. She said she supports a second sound study and they will provide a voice to make that happen, but ultimately, it is not a local project.</p>
Mayor Baker	There was consensus of City Council to encourage City Management to pursue a second sound study.
Council Member Erickson Gault	<p>Commented about preemption and the limitations placed on local municipalities. She said the reality is that the noise issue from I-75 is quality of life issue.</p> <p>Commented about the 5G pole issue and said City Administration has scheduled a meeting with Verizon. She said for change to happen, she encourages residents to reach out to Lansing.</p>
Mayor Pro Tem Brooks	Thanked everyone for sharing their concerns. She said that many Council Members are your neighbors and are impacted by these issues too. She commented that the common thing with the I-75 and 5G issues are that they are both out of the City's control. She said they are doing everything they can to make things better.
Mayor Baker	Commented that the City is on the fringe of influence, but they will work with Verizon and reach out to Lansing to try to make things better. He encouraged residents to reach out to Congresswoman Stevens, Senator McMorro, and State Representative Kuppala.

The meeting **RECESSED** at 9:14 PM.

The meeting **RECONVENED** at 9:30 PM.

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 – None

a) Mayoral Appointments: None

b) City Council Appointments: None

I-2 Board and Committee Nominations: a) Mayoral Nominations – Brownfield Redevelopment Authority, Global Troy Advisory Committee; b) City Council Nominations – None

a) **Mayoral Nominations:**

Resolution #2021-07-110

Moved by Baker

Seconded by Hamilton

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:

Global Troy Advisory Committee

Appointed by Mayor

12 Regular Members

3 Year Term

Nominations to the Global Troy Advisory Authority:**Term Expires: 7/31/2022****Allison Liu****Student**

Term currently held by: Allison Liu – Graduates 2022

Term Expires: 7/31/2022**Abiramasundari Swaminathan****Student**

Term currently held by: Arjun Tholakapalli – Graduates 2021

Yes: All-7

No: None

MOTION CARRIED

Resolution #2021-07-111

Moved by Baker

Seconded by Chamberlain-Creanga

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

Nominations to the Brownfield Redevelopment Authority:**Term Expires: 4/30/2024****Joseph Vassallo**

Term currently held by: Joseph Vassallo

Yes: All-7

No: None

MOTION CARRIED

b) City Council Nominations: None

I-3 Request for Closed Session

Resolution #2021-07-112
Moved by Baker
Seconded by Erickson Gault

BE IT RESOLVED, That Troy City Council **SHALL MEET** in Closed Session, as permitted by MCL 15.268 (h)- MCL 15.243 (1)(u) and (y) and MCL 15.268 (e)- *Tollbrook v. City of Troy, Tollbrook West v. City of Troy.*

Yes: All-7
No: None

MOTION CARRIED

**I-4 Bid Waiver – Heating, Ventilation and Air Conditioning Equipment and Parts
(Introduced by: Dennis Trantham, Facilities and Grounds Operations Manager)**

Resolution #2021-07-113
Moved by Erickson Gault
Seconded by Hodorek

RESOLVED, That in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **APPROVES** an ongoing contract for the purchase of HVAC Equipment and Parts directly from the manufacturer, *Lennox Industries of Troy, MI*; not to exceed budgetary limitations.

Yes: All-7
No: None

MOTION CARRIED

I-5 City Council Rules of Procedure (Introduced by: M. Aileen Dickson, City Clerk)

Resolution #2021-07-114
Moved by Baker
Seconded by Erickson Gault

RESOLVED, That Troy City Council hereby **ADOPTS** the Troy City Council Rules of Procedure, as amended; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7

No: None

MOTION CARRIED

I-6 Contract Ratification – American Federation of State County and Municipal Employees (*Introduced by: Mark F. Miller, City Manager*)

Resolution #2021-07-115

Moved by Hamilton

Seconded by Chamberlain-Creanga

RESOLVED, That Troy City Council hereby **RATIFIES** the collective bargaining agreement between the City of Troy and the American Federation of State County and Municipal Employees (AFSCME) for the period July 1, 2021 through June 30, 2025, and the Mayor and City Clerk are **AUTHORIZED** to execute the final agreement; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7

No: None

MOTION CARRIED**J. CONSENT AGENDA:**

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

Resolution #2021-07-116-J-1a

Moved by Abraham

Seconded by Erickson Gault

RESOLVED, That Troy City Council hereby **APPROVES** all items on the Consent Agenda 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 #2021-07-116-J-2

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

a) City Council Minutes-Draft – July 12, 2021

J-3 Proposed City of Troy Proclamations:

Resolution #2021-07-116-J-3

- a) Proclamation Celebrating Carter Koenigsknecht Second Place Winner in the National Kids Idea Tank Competition

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 4: Sourcewell Purchasing Cooperative – Kubota RTV and Related Accessories**

Resolution #2021-07-116-J-4a

RESOLVED, That in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **AWARDS** a contract for the purchase of two (2) Kubota RTV-X1100CWL with related accessories to *Flint New Holland of Burton, MI*, based on the Sourcewell Purchasing Contract #122220 for an estimated total cost of \$66,161.10; not to exceed budgetary limitations.

- b) **Standard Purchasing Resolution 4: OMNIA Partners Purchasing Cooperative – Closed Circuit Monitoring Equipment and Installation at Troy Family Aquatic Center**

Resolution #2021-07-116-J-4b

RESOLVED, That in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **AWARDS** a contract to furnish and install upgrades and additional devices to the closed-circuit monitoring equipment at the Troy Family Aquatic Center to *Wadsworth Solutions of Southgate, MI* based on the OMNIA Partners Purchasing Cooperative Contract #R170504 for an estimated total of \$87,520; not to exceed budgetary limitations of \$95,000.

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.

J-5 Request for Recognition as a Nonprofit Organization from Southeastern Michigan Chapter, National Electrical Contractors Association, Inc. (NECA) Education & Research Foundation

Resolution #2021-07-116-J-5

RESOLVED, That Troy City Council hereby **APPROVES** the request from the Southeastern Michigan Chapter, National Electrical Contractors Association, Inc. (NECA) Education & Research Foundation, asking that they be recognized as a nonprofit organization operating in the community for the purpose of obtaining a charitable gaming license as recommended by City Management.

J-6 Request for Acceptance of Two Permanent Easements from Troy Westington, LLC, Sidwell #88-20-21-101-004 and -008

Resolution #2021-07-116-J-6

RESOLVED, That Troy City Council **ACCEPTS** two permanent easements for sanitary sewers and water mains from Troy Westington, LLC, owner of the properties having Sidwell #88-20-21-101-004 and -008.

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

J-7 Request for Acceptance of Four Permanent Easements from Bismack Designs, Inc., Sidwell #88-20-09-427-039 and -040

Resolution #2021-07-116-J-7

RESOLVED, That Troy City Council hereby **ACCEPTS** four permanent easements for sidewalks, storm sewers and surface drainage from Bismack Designs, Inc., owner of the properties having Sidwell #88-20-09-427-039 and -040.

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

J-8 Safet “Sam” Stafa v. City of Troy

Resolution #2021-07-116-J-8

RESOLVED, That the City Attorney is hereby **AUTHORIZED** and **DIRECTED** to represent the City of Troy in any and all claims and damages in the matter of *Safet “Sam” Stafa v Troy* (Case No. 2021-189046-AW).

BE IT FURTHER RESOLVED, That the City Attorney is also **AUTHORIZED** to pay necessary costs and fees in the defense of the action.

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings: None Submitted

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

L. COUNCIL REFERRALS:

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

L-1 No Council Referrals**M. REPORTS:**

M-1 Minutes – Boards and Committees: None Submitted

M-2 Department Reports:

- a) Troy Racquet Club Annual Report
 - b) Capital Project Update – Fiscal Year 2022
 - c) I-75 Sound Barriers
 - d) City Clerk Aileen Dickson Named Democracy Fellow – National Conference on Citizenship
 - e) Final Report – Oakland County Restaurant Relief Program
- Noted and Filed

M-3 Letters of Appreciation:

- a) From Mark Bosler Regarding City Sewer System Maintenance
- Noted and Filed

M-4 Proposed Proclamations/Resolutions from Other Organizations: None Submitted**N. COUNCIL COMMENTS:**

N-1 Council Comments

Council Member Abraham commented on the Troy Racquet Club report.

Council Member Abraham commented on M-2d and gave accolades to City Clerk Dickson being named Democracy Fellow - National Conference on Citizenship.

Council Member Hamilton commented on M-2b and the renovations to the restrooms at some City parks.

Mayor Baker commented on M-2e and the success of the Restaurant Relief Programs. Mr. Lapin said the 16 restaurants who participated were very grateful for the assistance.

Council Member Chamberlain-Creanga thanked Community Affairs Director Cindy Stewart for bringing forward the Proclamation to Celebrate National Disability Independence Day.

Council Member Chamberlain-Creanga commented on the 5G pole and asked City Management to obtain consensus from City Council to explore the option of notifying residents when a 5G pole is being erected within a certain distance.

Mayor Baker said he does not want to give consensus and direction to Administration to provide notice at this time. He said it is not the best use of time and funds.

Council Member Chamberlain-Creanga inquired if a better option would be to provide information to residents via a City Council report.

Mayor Baker said he is willing to provide consensus to include information on the City website.

Council Member Hodorek commented that providing information on the City website leads residents to believe that the City owns it and City staff resources and time are spent addressing issues that are not of the City's control. She said she would like to take time to think about the best way to proceed and provide consensus.

Assistant City Manager Bruner commented that the list provided today are small cell antennas in the public right-of-way, which are the only ones regulated by the City. He said there are other antennas on private property that the City would have no knowledge of.

Council Member Chamberlain-Creanga asked if there was consensus for a proclamation or a resolution to advocate for changes.

Council Member Hamilton commented that someone can bring it forward as a Council Referral with a formal discussion. He said he is open to ideas as long as they do not use a lot of City staff's time.

Council Member Hamilton asked about the actuaries for the Employee's Retirement System, the Retiree Health Care Benefits Plan & Trust Board, and the Volunteer Firefighter Incentive Board. City Manager Miller said the new copies have not come out yet.

Mayor Baker said he agrees with Council Member Hodorek and would like to wait to make any decisions yet.

Mayor Baker said the Nature Center had a great chili cookoff fundraiser event this past weekend. He said the winner was the chili made by The Historic Village crew.

The meeting **RECESSED** at 10:03 PM.

The meeting **RECONVENED** at 10:08 PM.

O. CLOSED SESSION

O-1 Closed Session

P. ADJOURNMENT:

The Meeting **ADJOURNED** at 11:15 PM.

Mayor Ethan Baker

M. Aileen Dickson, MMC, MiPMC II
City Clerk



500 West Big Beaver
Troy, MI 48084
troymi.gov

J-04a

CITY COUNCIL AGENDA ITEM



Date: August 2, 2021

To: Mark F. Miller, City Manager

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

Subject: Standard Purchasing Resolution 2: Award to Low Bidder Meeting Specifications – Holiday Lights – Lights of Hope

History

- For two years beginning in 2013, the Kiwanis Club organized the holiday lighting of 25-30 Spruce Trees in the median of Big Beaver in the Troy Downtown Development Authority boundary, which included spaced out locations between Coolidge and Rochester Road.
- In 2016, the City of Troy encouraged the holiday tree lighting and promoted the increase of trees to be decorated.
- The City of Troy decided to install lights on additional trees with lights provided by the Kiwanis and purchase lights and install them on additional trees.
- The goal was to light all Spruce Trees between Rochester Rd. and Coolidge Highway in the Big Beaver median.
- The City of Troy staff continues to receive several compliments on the city's efforts to provide a traditional decorated look for the holiday season along the corridor.
- It is anticipated that the lights will remain on beginning the Monday prior to Thanksgiving through the last day in February.
- The Holiday Lights have an average life span of 3-5 years in the harsh environment they are used.

Purchasing

- On July 22, 2021 a bid opening was conducted as required by the City Charter/Code for one (1) year requirements for the Installation of Holiday Lights.
- The bid was posted on the Michigan Intergovernmental Trade Network (MITN); www.mitn.info.
- Two Hundred and eighty-two (282) vendors were notified via the MITN website. Two (2) bids were received. The summary of the vendor responses is detailed below.
- *Landscape Services, Inc. of Clinton Twp., MI* is the low bidder meeting specifications.

Companies notified via MITN	282
Troy Companies notified via MITN	8
Troy Companies - Active email Notification	7
Troy Companies - Active Free	1
Companies that viewed the bid	17
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
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CITY COUNCIL AGENDA ITEM

Financial

Funds are budgeted and available in the General Fund under the Parks Maintenance Street Island Maintenance (DDA) account number 101.751.30.783.7802.070 for the 2022 fiscal year.

Recommendation

City Management recommends awarding a contract for Proposal A: Installation and Removal of Holiday Lights on approximately 190 Spruce Trees located in the Big Beaver Median from Coolidge to Rochester Road, Proposal B: Installation and Removal of Holiday Lights on additional trees on municipal property, Proposal C: Commercial-Grade LED light strands, Proposal D: Replacement 6' Cable Rectifiers, and Proposal E: Replacement 24' Green extension cords to the low bidder meeting specifications *Landscape Services, Inc. of Clinton Twp., MI* for an estimated installation cost of \$29,835 for Proposal A and for Proposals B, C, D, and E, at unit prices contained in the bid tabulation opened July 22, 2021 not to exceed budgetary limitations.

Opening Date: 07/22/2021
Date Reviewed: 07/22/2021

CITY OF TROY
BID TABULATION
HOLIDAY LIGHTS

ITB-COT 21-43
Page 1 of 1

VENDOR NAME:	Landscape Services, Inc.	Pink Pro Services, LLC
CITY:	Clinton Township, MI	Waterford, MI
CHECK #:	1561640	840462
CHECK AMOUNT:	\$5,000.00	\$5,000.00

PROPOSAL: FURNISH ALL EQUIPMENT, AND LABOR FOR THE INSTALLATION OF HOLIDAY LIGHTS AT THE CITY OF TROY

DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
PROPOSAL A:				
Installation and Removal of Holiday Lights on approximately 190 Spruce trees in the Big Beaver Median.		\$29,835.00		\$39,000.00
PROPOSAL B:				
Installation and Removal of Holiday Lights per tree on additional trees on municipal property.	250		235	
PROPOSAL C:				
Commercial-Grade, 5MM Wide Angle L.E.D.S 50 LED Warm White W/Green Cord, 6" Spacing, 25' approximately 2,500.	12.75	\$31,875.00	\$12.50	\$31,250.00
PROPOSAL D:				
6' Plug Adapter Cable Rectifier W/Green Wire approximately 140.	\$9.63	\$1,348.20	\$9.00	\$1,260.00
PROPOSAL E:				
24' green extension approximately 14.	\$6.73	\$94.22	\$8.00	\$112.00
TOTALS:		\$63,152.42		\$71,622.00
Hours of Operation:	8AM-6PM		8AM-6PM	
24 Hour Phone No.:	586-216-2230		248-202-7636	
Contact Person:	Bret Steiner		Jeremy Main	
Phone:	586-216-2230		248-202-7636	
Site Inspection:	Y or N	Y		Y
Meet Delivery/Installation Schedule:	Y or N	Y		Y
Days after notice work shall commence:		15		12
References:	Y or N	Y		Y
Can Meet Insurance:	Y or N	Y		N
Payment Terms:	Y or N	NET 30		As specified
Warranty:	Y or N	None		1 Year
Exceptions:	Y or N	None		None
Acknowledgement:	Y or N	Y		Y
Forms:	Y or N	Y		Y

ATTEST:

(*Bid Opening conducted via a Go-To Meeting)

Heather Chomiak

Dennis Trantham

Emily Frontera

Emily Frontera



500 West Big Beaver
Troy, MI 48084
troymi.gov

J-04b

CITY COUNCIL AGENDA ITEM



Date: August 2, 2021

To: Mark F. Miller, City Manager

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

Subject: Standard Purchasing Resolution 2 – Award to Sole Bidder Meeting Specifications –
2021 Street Tree Planting

History

- The Parks Division is responsible for the maintenance of the City's urban forest. This responsibility includes making additions to the urban forest through a tree-planting program.
- The Parks Division continues to make progress on a more aggressive tree-planting program.
- The division facilitates a program that fills vacancies in the Rights-of-Way (ROW) that could support a tree while adhering to City of Troy Ordinance Chapter 28.
- Chapter 28 regulates that trees planted in the ROW should not be planted any closer than 50' of an existing tree within the ROW, no closer than 15' from any driveway approach, no closer than 3.5' of any curb, and no closer than 3' to any sidewalk.
- The Parks Division also is proposing to continue with planting more substantial trees in the ROW resulting in a request from vendors for trees with a minimum of 2.5" in diameter and a 2-year warranty from the date of planting.

Purchasing

- On July 22, 2021 a bid opening was conducted as required by the City Charter/Code for one (1) year requirements of Street Trees.
- The bid was posted on the Michigan Intergovernmental Trade Network (MITN); www.mitn.info. Sixty-one (61) vendors were notified via the MITN website. Three (3) bids were received. Below is a detail summary of the vendor responses.

Companies notified via MITN	61
Troy Companies notified via MITN	1
Troy Companies - Active email Notification	1
Troy Companies - Active Free	0
Companies that viewed the bid	11
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.



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Troy, MI 48084
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CITY COUNCIL AGENDA ITEM

Purchasing (continued)

- *Marine City Nursery Company of Marine City, MI* was the low bidder, meeting all bid specifications for the purchase and installation of Balled and Burlap or Container Grown Trees, and is being recommended.
- *Marine City Nursery Company* has successfully provided trees for the City of Troy and meets all requirements.

Financial

Funds are budgeted and available in the General Fund under the Parks Department Local Tree Planting account number 101.751.30.778.7740.120 in the amount of \$157,820 for the 2022 Fiscal Year. In addition, City staff continues to apply for grants to assist in its tree-planting program when it is in the best interest of the City of Troy..

Recommendation

City Management recommends awarding a contract to purchase and have installed on as needed basis balled and burlap or container grown trees to the sole bidder meeting specifications; *Marine City Nursery Company of Marine City, MI* at the unit prices contained in the bid tabulation opened July 22, 2021 not to exceed budgetary limitations.

Opening Date -- 07/22/2021
 Date Reviewed -- 07/22/2021

CITY OF TROY
 BID TABULATION
 STREET TREES

ITB-COT 21-42
 Pg 1 of 1

VENDOR NAME: CITY: CHECK AMT: CHECK #:		Marine City Nursery Co.	Davey Resource Group, Inc.	Crimboli Nursery Inc.
		China, MI	Kent, OH	Canton, MI
		\$5,000.00	**None	**Bid bond 5%
		34954941		
PROPOSAL: To Provide and plant for the City of Troy Ball and Burlap or Container Grown Trees in accordance with the bid specifications.				
PROPOSAL A: Cost for the Purchase and Planting of 500 Ball and Burlap Trees				
Price Per Planted Tree:		\$386.00	\$369.00	\$800.00
Proposal A Total Cost (unit price x 500):		\$193,000.00	\$184,500.00	\$400,000.00
FALL 2021				
LIST OF NINE TREE TYPES: HOW MANY TREES LISTED: HOURS OF OPERATION: 24 HOUR PHONE #: STATEMENT OF GUARANTEE: REFERENCES: PROPOSED PAYMENT SCHEDULE: INSURANCE MET: PAYMENT TERMS: DELIVERY: EXCEPTIONS: ACKNOWLEDGEMENT: FORMS:	Y/N	Y	Y	Y
		9	9	11
		8AM-5PM	8AM-5PM M-F	9AM-5PM
		810-650-0676	612-753-0464	734-495-1700
		None	None	2 Years
	Y/N	Y	Y	Y
		Net 30	90% Upon completion 10%	NET 30
	Y/N	Y	Y	Y
		Net 30	NET 30	NET 30
		N/a	Directly to site	FALL 2021
	Y/N	N	N	N
	Y/N	Y	Y	Y
	Y/N	Y	Y	Y
			**No submitted bid check and bid bonds not acceptable	

Attest:
 (*Bid Opening conducted via a Go-To Meeting)
 Heather Chomiak
 Dennis Trantham
 Emily Frontera
 Andrew Chambliss

Emily Frontera
 Purchasing Manager



500 West Big Beaver
Troy, MI 48084
troymi.gov

J-04c

CITY COUNCIL AGENDA ITEM



Date: August 3, 2021

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
Rob Maleszyk, Chief Financial Officer
Lisa Burnham, Controller
Kurt Bovensiepe, Public Works Director
Brian D Varney, Fleet Operations Manager
Emily Frontera, Purchasing Manager

Subject: Standard Purchasing Resolution 4: State of Michigan MiDeal Purchasing Cooperative – DPW Construction Equipment.

History

- The State of Michigan MiDeal Program awarded a contract agreement to *AIS Construction Equipment of New Hudson, MI* for John Deere and Felling commercial equipment. (Contract #071B7700090).
- The backhoe and equipment trailer being purchased are planned replacement units in the 2022 fiscal year budget.
- This purchase replaces existing equipment and will not increase the size of the existing Department of Public Works motor pool fleet.
- The one (1) obsolete equipment trailer will be removed from service and sold at auction with estimated proceeds of \$3,000.
- AIS Construction Equipment Company has agreed to a \$30,000 trade in allowance for our obsolete 2009 John Deere Backhoe 410J.

Purchasing

- *AIS Construction Equipment Company* is the low total bidder in the State of Michigan Cooperative Bids. State of Michigan MiDeal Contract ID number (Bid #071B7700090)
- The contract pricing is extended to January 12, 2023 for equipment purchased from *AIS Construction Equipment Company*.
- On February 10, 2014 City Council authorized departments to utilize sites such as GovDeals.com to dispose of city owned surplus items (Resolution# 2014-02-017-J-4a). Therefore, note that the City will utilize and market the one (1) obsolete equipment trailer on GovDeals.com site for optimal trade-in value.



500 West Big Beaver
Troy, MI 48084
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CITY COUNCIL AGENDA ITEM

Financial

Funds for this purchase are available in the Fleet Replacement Budget 2021-2022 Capital Account Number 661.549.565.7981. Project #'s are detailed below.

Qty.		Vendor	Unit Cost	Total Cost	Project#	Budget
1	John Deere 410L Backhoe	AIS	\$128,839.23	\$128,839.23		
	Trade-in value	AIS		\$30,000.00		
	Project Total			\$98,839.23	2022C0131	\$135,000.00
1	Felling Equipment Trailer	AIS	\$22,681.90	\$22,681.90	2022C0132	\$42,000.00

Recommendation

City management requests authorization to purchase one (1) John Deere 410L Backhoe for an estimated total cost of \$98,839.23 and one (1) Felling Equipment Trailer for an estimated total cost of \$22,681.90 from the low total bidder, *AIS Construction Equipment Company of New Hudson, MI*, as per the State of Michigan MiDeal Cooperative Contract for an estimated total cost of \$121,521.13.





500 West Big Beaver
Troy, MI 48084
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CITY COUNCIL AGENDA ITEM



G:\Bid Award 21-22 – Award Standard Purchasing Resolution 4 MiDeal DPW Construction Equipment Memo

**GRAND RAPIDS**

600 AIS Drive Southwest
Grand Rapids, MI 49548
Telephone: (616) 538-2400

LANSING

3600 North Grand River Avenue
Lansing, MI 48906
Telephone: (517) 321-8000

SAGINAW

4600 AIS Drive
Bridgeport, MI 48722
Telephone: (989) 777-0090

RICHMOND

65809 Gratiot Avenue
Lenox, MI 48050
Telephone: (586) 727-7502

TRAVERSE CITY

8300 M-72 East
Williamsburg, MI 49690
Telephone: (231) 267-9513

WEST DETROIT

56555 Pontiac Trail
New Hudson, MI 48165
Telephone: (248) 437-8121

August 3, 2021

Mr. Brian Varney
Fleet Operations Manager
City of Troy
Troy, MI 48085

RE: State of Michigan MiDeal pricing for new Deere model 410L backhoe loader.
MiDeal contract # 071B7700090

AIS Construction Equipment Corp & John Deere are pleased to provide you the following pricing for a new Deere model 410L backhoe loader.

Pricing is current MiDeal State Contract Pricing and as such will be firm until there is a manufacturer list price increase.

One (1) New John Deere 410L as outlined in the attached equip details pages;

List Price	\$ 203,539.00
Less State Contract discount 39.2%	(79,787.29)
Sub-Total	\$ 123,751.71
PDI 1%	1,237.52
Attachment set-up/install eight (8) hrs. @ \$ 120.00	960.00
60 mos./4,000 hour powertrain & hydraulic wtty	2,690.00
Delivery	200.00
 TOTAL SALE PRICE (cash)	 \$ 128,839.23
Trade value '09 410J s.n. 173114	(30,000.00)
TOTAL DELIVERED PRICE	\$ 98,839.23

As AIS is authorized vendor for MiDeal contract # 071B7700090, if PO is issued it should be made out to:

AIS Construction Equipment Corp.
56555 Pontiac Trail
New Hudson, MI 48165

Please contact me any time with questions or if additional info is needed. AIS & my-self look forward to assisting you with any of your construction equipment needs!

**GRAND RAPIDS**

600 AIS Drive Southwest
Grand Rapids, MI 49548
Telephone: (616) 538-2400

LANSING

3600 North Grand River Avenue
Lansing, MI 48906
Telephone: (517) 321-8000

SAGINAW

4600 AIS Drive
Bridgeport, MI 48722
Telephone: (989) 777-0090

RICHMOND

65809 Gratiot Avenue
Lenox, MI 48050
Telephone: (586) 727-7502

TRAVERSE CITY

8300 M-72 East
Williamsburg, MI 49690
Telephone: (231) 267-9513

WEST DETROIT

56555 Pontiac Trail
New Hudson, MI 48165
Telephone: (248) 437-8121

July 15, 2021

Mr. Brian Varney
Fleet Operations Manager
City of Troy
Troy, MI 48085

RE: State of Michigan MiDeal pricing for new Felling model FT-30-2 LP.
MiDeal contract # 071B7700090

AIS Construction Equipment Corp & John Deere are pleased to provide you the following pricing for a new Felling model FT30-2LP tag trailer.
Pricing is current MiDeal State Contract Pricing and as such will be firm until there is a manufacturer list price increase.

One (1) New Felling model FT30-2LP as outlined in the attached build sheet;

List Price	\$	24,394.00
Less State Contract discount 8%	(1,951.52)
Sub-Total	\$	22,442.48
PDI 1%		224.42
Title		15.00

TOTAL CASH PRICE FOB AIS NEW HUDSON(cash) \$ 22,681.90

As AIS is authorized vendor for MiDeal contract # 071B7700090, if PO is issued it should be made out to:

AIS Construction Equipment Corp.
56555 Pontiac Trail
New Hudson, MI 48165

Please contact me any time with questions or if additional info is needed. AIS & my-self look forward to assisting you with any of your construction equipment need

Sincerely
AIS Construction Equipment Co.

Craig Vick

Craig Vick
Governmental Sales Manager
586-634-2760

ckv



500 West Big Beaver
Troy, MI 48084
troymi.gov

J-04d

CITY COUNCIL AGENDA ITEM



Date: August 3, 2021

To: Mark F. Miller, City Manager

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

Subject: Standard Purchasing Resolution 5: Approval to Expend Budgeted Funds – Department of Public Works Main Facility and Parks Garage Heating and Cooling Unit Replacements

History

- The Department of Public Works is home to the following divisions: Water and Sewer, Streets and Drains, Fleet Maintenance, Facilities and Grounds, and Troy R.Y.D.E.
- The existing rooftop units that service the main DPW facility have reached the end of life and need replacement.
- The split furnace air conditioning unit that provides heating and cooling for the east portion of the Parks Garage has reached the end of life and needs replacement.
- Replacement of the HVAC units at the Department of Public Works was identified in the Facilities Condition Assessment Report.
- The installation will be performed in-house by Facilities Staff.

Purchasing

The current contract with *Lenox Industries of Troy, MI* was adopted by City Council in 2021 for HVAC equipment and parts (Resolution #2021-07-113). Pricing to replace the Heating and Cooling Units at the Department of Public Works Main Facility and Parks Garage has been secured from Lennox Industries for an estimated cost of \$46,853.00, as detailed in the attached quote #132121.

Financial

- Funds for the DPW Main Facility are budgeted and available in the Motor Pool Capital Projects Fund under Project Numbers 2022C0100 and 2022C0142 for the 2022 fiscal year. Expenditures will be charged to account number 661.549.565.7975.900.
- Funds for the Parks Garage are budgeted and available in the DPW Administration Capital Projects Fund under Project Number 2022C0054. Expenditures will be charged to account number 401.464.7975.900.



500 West Big Beaver
Troy, MI 48084
troymi.gov

CITY COUNCIL AGENDA ITEM

Recommendation

City Management recommends granting the authority to expend capital budgeted funds to *Lennox Industries of Troy, MI* for the purchase of the rooftop heating and cooling units and split furnace and air conditioning units for the Department of Public Works main facility and the Parks Garage for an estimated cost of \$46,853 not to exceed budgetary limitations.



Project Quote

Project Name: City of Troy RTU Replacement

Project Number: 185368

Quote: 132121

Quote Name: City of Troy RTU Replacement

Engineer: #N/A

Project Location:

Troy, MI

Prepared For: City Of Troy

Date: 7/8/2021

Quote valid for 30 days

Roof Top Units: 5

Split Systems: 1

Tag	Qty	Model	Description
RTU-1,2,3			
	3	LGH120H4-PKG	LGH120H4... PkgGE/10Ton/Configurable - 208V/3Ph/60Hz Factory Installed Options High Performance Economizer Upgrade Factory Installed Single Enthalpy Economizer Standard Cap, Std Packaging Unit Orientation Downflow Supply Fan: Multi-Stage Air Volume 208/220/230/240V 3Phase 80Amp Disconnect Factory Installed Supply Motor - 3.0 Hp Std- w/ MSAV Supply Drive Kit 4 (730-970 RPM) Barometric Relief Damper (Fac) 240K A.S. (Dual Stage) Return Air Adaptor Plate Factory Installed Hinged Access Doors Factory Installed Copper Drain Trap Factory Installed GFCI Factory Installed/Field Wired Phase Monitor Factory Installed Return Air Smoke Detector Factory Installed Environ Coil System Factory Installed 2" MERV4 - Std. Filter Factory Installed Field Installed Options Vertical Vent Extension Field Installed Weatherproof GFCI Cover Field Installed
	3	42W16	
	3	10C89	
RTU-4			
	1	LGH048S4-PKG	LGH048S4... PkgGE/4Ton/Configurable - 208V/3Ph/60Hz Factory Installed Options Standard Cap, Std Packaging Unit Orientation Downflow Supply Fan: Multi-Stage Air Volume 208/220/230/240V 3Phase 80Amp Disconnect Factory Installed Supply Motor - 2.0 Hp - w/ MSAV Supply Drive Kit 6 (1071-1429 RPM) Manual OAD Factory Installed 150K A.S. (Dual Stage) Hinged Access Doors Factory Installed Copper Drain Trap Factory Installed GFCI Factory Installed/Field Wired Return Air Smoke Detector Factory Installed Environ Coil System Factory Installed 2" MERV4 - Std. Filter Factory Installed Field Installed Options Vertical Vent Extension Field Installed Weatherproof GFCI Cover Field Installed C1ACURB30A GCS/CHA/CHP24-650/813 to T
	1	31W62	
	1	10C89	
	1	20W06	



Project Quote

RTU-5			
1	LGH048H4-PKG	LGH048H4... PkgGE/4Ton/Configurable - 208V/3Ph/60Hz	
		Factory Installed Options	
		Standard Cap, Std Packaging	
		Unit Orientation Downflow	
		Supply Fan: Multi-Stage Air Volume	
		208/220/230/240V 3Phase	
		80Amp Disconnect Factory Installed	
		Supply Motor - 0.75 Hp ECM - w/ MSAV	
		Manual OAD Factory Installed	
		150K A.S. (Dual Stage)	
		Hinged Access Doors Factory Installed	
		Copper Drain Trap Factory Installed	
		GFCI Factory Installed/Field Wired	
		Return Air Smoke Detector Factory Installed	
		Environ Coil System Factory Installed	
		2" MERV4 - Std. Filter Factory Installed	
		Field Installed Options	
1	31W62	Vertical Vent Extension Field Installed	
1	10C89	Weatherproof GFCI Cover Field Installed	
1	20W06	C1ACURB30A GCS/CHA/CHP24-650/813 to T	

5 Ton Split			
1	14W68	TSA060H4N43Y CONDENSER/5TON/230-3	
1	10C58	CX35-60C-6F-20 Coil/5TON/CASED	
1	96W29	EL296UH110XE60C Furnace-Gas/110Btuh/5T	

Total Price (Excluding Tax): \$46,853.00 USD

Due to high demand and supply chain volatility all quotes are subject to availability at the time of order. The delivery date we offer may also have to change. We will do our best to communicate in advance as soon as new information is known.

TO PLACE AN ORDER, PLEASE EMAIL OR FAX THIS QUOTE TO YOUR LENNOX SALES OFFICE OR NATIONAL ACCOUNT DEPARTMENT, COMPLETE WITH THE FOLLOWING INFORMATION:

Orders without accurate delivery dates will not be processed.			
Purchase Order:		Customer Acct Number:	
Ship-To:		Delivery Date Units:	
		Delivery Date Curbs:	
Delivery Contact Name:		Delivery Date Accessories:	
Delivery Contact Phone:		Voltage Verified:	

Customer Signature _____

By signing this document, I certify that I have read, understand and agree to all [Terms and Conditions](#).

Any use or disclosure of this information to anyone other than the identified Lennox customer, or any use of equipment provided pursuant to this quote for anyone other than the identified Lennox customer, is a breach of the terms under which this information and/or equipment was provided to you, for which you may incur legal liability to Lennox.



500 West Big Beaver
Troy, MI 48084
troymi.gov

J-04e

CITY COUNCIL AGENDA ITEM



Date: August 3, 2021

To: Mark F. Miller, City Manager

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

Subject: Standard Purchasing Resolution 5: Approval to Expend Budgeted Funds – Stage Nature Center Heating and Cooling Unit Replacements

History

- The Stage Nature Center is operated by the Troy Nature Society. The agreement between the City of Troy and Troy Nature Society requires the City of Troy to maintain the facilities and equipment.
- The existing split furnace and air conditioning units have reached the end of life and need replacement.
- Replacement of the HVAC units at the Stage Nature Center was identified in the Facilities Condition Assessment Report.
- The installation will be performed in-house by Facilities Staff.

Purchasing

The current contract with *Lenox Industries of Troy, MI* was adopted by City Council in 2021 for HVAC equipment and parts (Resolution #2021-07-113). Pricing for the Stage Nature Center Heating and Cooling Unit Replacement has been secured from Lennox Industries for an estimated cost of \$22,566.00, as detailed in the attached quote #137154.

Financial

Funds are budgeted and available in the Nature Center Capital Projects Fund under Project Number 2022C0070 for the 2022 fiscal year. Expenditures will be charged to account number 401.771.771.7975.

Recommendation

City Management recommends granting the authority to expend capital budgeted funds to *Lennox Industries of Troy, MI* for the purchase of split furnace and air conditioning units for the Stage Nature Center for an estimated cost of \$22,566 not to exceed budgetary limitations.



Project Quote

Project Name: City of Troy Nature Center System Replacement

Project Number: 191746

Quote: 137154

Quote Name: City of Troy Nature Center System Replacement

Engineer: #N/A

Project Location:

Troy, MI

Prepared For: City Of Troy

Date: 7/20/2021

Quote valid for 30 days

Split Systems: 9

Tag	Qty	Model	Description	Price
4 Ton Systems				\$10,674.00
	3	13J06	13ACXN048-230 CONDENSER/4T/230-2	
	3	10C56	CX35-49C-6F-20 Coil/4TON/CASED	
	3	17A57	ML193UH110XE48C Furnace-Gas/110Btuh/4T	
5 Ton Systems				\$7,893.00
	3	13J07	13ACXN060-230 CONDENSER/5T/230-2	
	3	10C58	CX35-60C-6F-20 Coil/5TON/CASED	
5 Ton Systems				\$3,999.00
	3	17A59	ML193UH110XE60C Furnace-Gas/110Btuh/5T	

Total Price (Excluding Tax): \$22,566.00 USD

Due to high demand and supply chain volatility all quotes are subject to availability at the time of order. The delivery date we offer may also have to change. We will do our best to communicate in advance as soon as new information is known.

TO PLACE AN ORDER, PLEASE EMAIL OR FAX THIS QUOTE TO YOUR LENNOX SALES OFFICE OR NATIONAL ACCOUNT DEPARTMENT, COMPLETE WITH THE FOLLOWING INFORMATION:

Orders without accurate delivery dates will not be processed.			
Purchase Order:		Customer Acct Number:	
Ship-To:		Delivery Date Units:	
		Delivery Date Curbs:	
Delivery Contact Name:		Delivery Date Accessories:	
Delivery Contact Phone:		Voltage Verified:	

Customer Signature

By signing this document, I certify that I have read, understand and agree to all [Terms and Conditions](#).

Any use or disclosure of this information to anyone other than the identified Lennox customer, or any use of equipment provided pursuant to this quote for anyone other than the identified Lennox customer, is a breach of the terms under which this information and/or equipment was provided to you, for which you may incur legal liability to Lennox.



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Troy, MI 48084
troymi.gov

J-04f

CITY COUNCIL AGENDA ITEM

Date: July 28, 2021



To: Honorable Mayor and City Council Members

From: Mark F. Miller, City Manager
Robert J. Bruner, Assistant City Manager
Rob Maleszyk, Chief Financial Officer
Beth Tashnick, Office Manager

Subject: Standard Purchasing Resolution 9: Approval to Expend Funds for
Membership Dues and Renewals Over \$10,000 – Southeast Michigan Council of
Governments (SEMCOG)

History

Since its inception in 1968, The Southeast Michigan Council of Governments (SEMCOG) has supported local planning through its technical, data, and intergovernmental resources. The work SEMCOG does improves the quality of the region's water, makes the transportation system safer and more efficient, revitalizes communities, and spurs economic development.

Membership is open to all counties, cities, villages, townships, intermediate school districts, and community colleges. SEMCOG serves the Southeast Michigan region, made up of Livingston, Macomb, Monroe, Oakland, St. Clair, Washtenaw, and Wayne Counties. Associate, non-voting, memberships are offered to eligible public universities. The City of Troy has been a member of SEMCOG since 1968.

As southeast Michigan's regional planner, SEMCOG's essential functions include:

- Promote informed decision-making by improving Southeast Michigan and its local governments through insightful data analysis and direct assistance to members.
- Promote the efficient use of tax dollars for infrastructure investment and governmental effectiveness.
- Develop regional solutions that go beyond the boundaries of individual local governments.
- Advocate on behalf of Southeast Michigan in Lansing and Washington.

Financial

Funds are budgeted for FY 2021/22 under Council - Membership and Dues (101.102.7958)

Recommendation

Staff recommends authorization of the expenditure of funds for membership dues to SEMCOG in the amount of \$10,777.00 for the period of July, 2021 – July, 2022.



Southeast Michigan Council of Governments
1001 Woodward Ave
Suite 1400
Detroit, MI 48226
Phone: 313-961-4266

INVOICE

Billed To:
City of Troy
Beth Tashnick
500 W Big Beaver Rd
Troy, MI 48084-5285

DATE: 7/1/2021
INVOICE #: INV00753
DUE DATE: Upon Receipt
TOTAL DUE: 10,777.00

CUSTOMER ACCOUNT # : 1147

ITEM DESCRIPTION	AMOUNT
2021 Annual Membership Dues	10,777.00
TOTAL THIS INVOICE	10,777.00

If you will be paying electronically, please contact us at accountspayable@semcog.org for our banking information.

REMIT TO:

Southeast Michigan Council of Governments
1001 Woodward Ave, Suite 1400
Detroit, MI 48226

A copy of this invoice should accompany your check. Thank you!



500 West Big Beaver
Troy, MI 48084
troymi.gov

J-04g

CITY COUNCIL AGENDA ITEM



Date: July 28, 2021

To: Honorable Mayor and City Council Members

From: Mark F. Miller, City Manager
Robert J. Bruner, Assistant City Manager
Beth Tashnick, Office Manager

Subject: Standard Purchasing Resolution 10: Travel Authorization and Approval to Expend Funds for Troy City Council Member Travel – 2021 Michigan Municipal League Convention

History

In advance of conferences and workshops city council members have expressed interest, management prepares a standard purchasing resolution that will authorize the travel expenses that may be incurred.

Purchasing

Administrative memo 1-PU-9 "Travel Authorization and Approval to Expend Funds for Troy City Council Members' Travel Requests – Standard Purchasing Resolution 10" requires approval by resolution of travel by council members.

Financial

Registration for this event is \$449 (early bird discount) plus any additional activities selected (see registration worksheet attached). Airfare or mileage, car rental, lodging and food are additional expenses that may be incurred. Funds are available in the 2021/22 General Fund – City Council – Education and Training account.

Recommendation

It is recommended that City Council authorize and approve the expenditure of funds on travel expenses for Council Members who wish to attendance this event.

(<http://blogs.mml.org/wp/events>)

Agenda-at-a-glance

[🏠](#) / [HOME \(HTTP://BLOGS.MML.ORG/WP/EVENTS\)](http://blogs.mml.org/wp/events) / [AGENDA-AT-A-GLANCE](#)

Tuesday, September 21, 2021

10:00 am- 4:30 pm	Michigan Municipal League Board Meeting
-------------------	---

Wednesday, September 22, 2021

8:00 am – 5:30 pm	Registration
-------------------	--------------

11:30 am – 12:30 pm	Michigan Women in Municipal Government (MWIMG) Meeting/Lunch *
---------------------	--

11:30 am – 12:30 pm	General Lunch Option
---------------------	----------------------

1:00 – 3:30 pm	Opening General Session & Community Excellence Award Presentations (http://blogs.mml.org/wp/events/general-sessions/)
----------------	---

3:45 – 4:15 pm	Business Meeting Check-in
----------------	---------------------------

4:15 – 5:00 pm	Annual Business Meeting
----------------	-------------------------

5:00 – 5:45 pm	First Timers/New Member Meet-up
----------------	---------------------------------

6:00 – 8:00 pm	Welcome Reception
----------------	-------------------

Thursday, September 23, 2021

7:30 am – 5:30 pm	Registration
-------------------	--------------

7:30 – 8:30 am	Networking Breakfast
----------------	----------------------

7:30 – 8:30 am	Michigan Association of Mayors (MAM) Annual Meeting/Breakfast *
8:45 – 10:00 am (http://blogs.mml.org/wp/events/)	General Session: Keynote (http://blogs.mml.org/wp/events/general-sessions/)
10:00 – 10:30 am	Networking Break
10:30 – Noon	Local Tours & Breakouts (http://blogs.mml.org/wp/events/breakout-sessions/)
Noon – 1:15 pm	Networking Lunch
1:30 – 2:45 pm	General Session (http://blogs.mml.org/wp/events/general-sessions/)
3:00 – 4:00 pm	Breakouts (http://blogs.mml.org/wp/events/breakout-sessions/)
4:15 – 5:15 pm	Breakouts (http://blogs.mml.org/wp/events/breakout-sessions/)

Friday, September 24, 2021

7:30 – 11:30 am	Registration
8:00 – 9:00 am	Michigan Black Caucus of Local Elected Officials Meeting /Breakfast*
9:00 – 11:00 am	Local Tours & Breakouts (http://blogs.mml.org/wp/events/breakout-sessions/)
11:15 – 12:30 pm	Closing General Session (http://blogs.mml.org/wp/events/general-sessions/) & Announcement of 2021 Community Excellence Award Winner

*Additional Fee

(<http://blogs.mml.org/wp/events/>)

1675 GREEN ROAD, ANN ARBOR MI 48105 :: 734-662-3246 :: INFO@MML.ORG ([MAILTO:INFO@MML.ORG](mailto:INFO@MML.ORG))

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f (<http://www.mml.org/MMLeague>) **🐦** (<http://www.twitter.com/MMLeague>)



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2021 MML Convention

Sign In

Convention 2021

September 22-24, 2021
Grand Rapids, MI

Trust and Belonging- Sparking a Community Revival

We're back in-person! We're excited to be holding our annual Convention back in-person in Grand Rapids! Against the backdrop of the Grand Rapids community, we will present sessions centered around the topics that will leave you feeling:

Optimistic · Empowered · Courageous · Open-Minded

Learn how to turn an opportunity into a strong community wealth building partnership; explore creative approaches to meeting the need for affordable housing; learn how to create trust and belonging in your community, and much more.

You'll also have plenty of time to get out and experience some of Grand Rapids iconic sites and activities as you enjoy the camaraderie of your colleagues.

We've planned an extra special Convention that will fill you with great ideas and memories. Come join us!

For the complete list of sessions and breakouts visit the [2021 Convention website](#).

Registration Rates

Registration Rates on or before **August 23, 2021**:

MML Full & Associate Members/BAP Participants – \$449/person

Nonmember Government/Non-Profit Entities/Limited Associate Member/MML Fund & Pool Program Members – \$599/person

Guests – \$150

Students – \$200

Registration Rates by **September 16, 2021**:

MML Full & Associate Members/BAP Participants – \$599/person

Nonmember Government/Non-Profit Entities/Limited Associate Member/MML Fund & Pool Program Members – \$999/person

Guests – \$150

Students – \$200

[Click here](#) for a faxable registration form.

Agenda:

For the complete Convention Agenda and program details visit the [2021 Convention website](#).

Housing

Amway Grand Hotel/DeVos Place
187 Monroe Avenue NW
Grand Rapids, Michigan 49503

Housing reservations will only be accepted for registered Convention attendees with a personalized

Username

Password

☐ Remember me on this computer

[Sign In](#)

Forgot [my password](#) or [my username](#)

[Create a new account](#)

housing registration code. Within 48 hours of the League receiving your conference registration form, you will receive a confirmation email containing your registration information, your personalized housing code, and all housing options secured by the Michigan Municipal League.

Parking

Amway Grand Hotel, Devos Place, and downtown parking

[Click here for more information.](#)

Registration

To register online, login to the right, and then click the "Register Myself" or "Register Someone Else" button below.

When: 9/22/2021 - 9/24/2021

Where: Amway Grand Hotel/DeVos Place

Event Add-On's

Select Programs by

Wednesday, 22 September 2021



8:00 AM

[Guest Registration](#)

Time: 9/22/2021 8:00 AM - 9/24/2021 12:30 PM

11:30 AM

[MWIMG Affiliate Lunch](#)

Michigan Women in Municipal Government Affiliate Lunch

Time: 11:30 AM - 12:30 PM

Thursday, 23 September 2021



7:30 AM

[MAM Affiliate Breakfast](#)

Michigan Association of Mayors Affiliate Breakfast

Time: 7:30 AM - 8:30 AM

10:30 AM

[Thursday Tour: 12/30 District- Grand Rapids Neighborhoods](#)

Thursday Tour: 12/30 District- Grand Rapids Neighborhoods Tour

Time: 10:30 AM - 12:00 PM

10:30 AM

[Thursday Tour: ArtPrize 2021 Tour](#)

Thursday Tour: ArtPrize 2021 Tour

Time: 10:30 AM - 12:00 PM

10:30 AM

[Thursday Tour: Community Partnerships Tour](#)

Thursday Tour: Community Partnerships Tour

Time: 10:30 AM - 12:00 PM

Friday, 24 September 2021



8:00 AM

[MBC-LEO Affiliate- Breakfast/Annual Meeting](#)

Michigan Black Caucus of Local Elected Officials Breakfast/Annual Meeting

Time: 8:00 AM - 9:00 AM

9:00 AM	Friday Tour: Modular Housing Tour Friday Tour: Modular Housing Tour Time: 9:00 AM - 11:00 AM
9:00 AM	Friday Tour: Parks and Trails: What was Learned Friday Tour: Parks and Trails: What was Learned during the Pandemic Time: 9:00 AM - 11:00 AM
9:00 AM	Friday Tour: Evolution of Grand Rapids Friday Tour: Evolution of Grand Rapids Time: 9:00 AM - 11:00 AM

[Events](#)

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info@mml.org



500 West Big Beaver
Troy, MI 48084
troymi.gov

J-05



CITY COUNCIL AGENDA ITEM

Date: July 26th, 2021

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
Richard Riesterer, Fire Chief
Frank A. Nastasi, Chief of Police

Subject: Request to Temporarily Waive Parking Restrictions

History

The Congregation Shir Tikvah is requesting that the parking restrictions on the East side of Northfield Parkway from the entrance of Boulton Park to the entrance of the synagogue be waived on the following dates and times:

Monday, September 6 from 7:00 p.m. to 11:00 p.m.
Tuesday, September 7 from 9:00 a.m. to 5:00 p.m.
Wednesday, September 15 from 7:00 p.m. to 11:00 p.m.
Thursday, September 16 from 9:00 a.m. to 9:00 p.m.

Congregation Shir Tikvah is conducting events related to the observance of the High Holidays on these dates and times. Although they have arranged for additional parking at Stonehaven Church on Wattles Road, they fear they will not have sufficient parking space for all attendees.

The waiving of the restrictions would allow attendees to park on the dirt shoulder of Northfield Parkway.

Recommendation

City Ordinance prohibits parking on Northfield Parkway; therefore, City Council action is required to grant a variance.

Congregation Shir Tikvah makes such requests and is granted a variance regularly; no problems have ever been reported.



500 West Big Beaver
Troy, MI 48084
troymi.gov

J-06

CITY COUNCIL AGENDA ITEM

Date: August 3, 2021

To: Honorable Mayor and Troy City Council Members

From: Mark F. Miller, City Manager
Lori Grigg Bluhm, City Attorney
Robert J. Bruner, Assistant City Manager
William Huotari, City Engineer
Kurt Bovensiepe, Public Works Director

Subject: Evergreen- Farmington Drain District Agreement



The City of Troy has been one of fifteen communities in the Evergreen-Farmington Sanitary Sewer System since September 2, 1976. Approximately thirteen years later, each community entered into a new 40-year agreement, under 1939 Public Act 342 for this sewer system, and this agreement expires September 30, 2029. However, prior to this expiration date, there are regional improvements planned for the immediate future to reduce the frequency and the volume of sanitary sewer flow overflows. These improvements are necessitated by Administrative Consent Orders issued by the State of Michigan, Department of Environment, Great Lakes, and Energy Department.

Because of the significant cost of these mandated improvements, two of the participating communities, Southfield and West Bloomfield, submitted a petition to convert the agreement into a Chapter 20 Drain. With such a conversion, the newly formed Drain Board can issue bonds to finance the project, which is desired by several of the participating communities. The City of Troy has budgeted for our portion of the project, and will not need to bond for it. The cost of the financing, as well as the cost of future operations and maintenance, will be charged back to the communities based on the allocated share each community bears.

Oakland County has several Chapter 20 Drain Boards, including but not limited to the George W. Kuhn Drain District, which includes Troy. Under Chapter 20, the Drain Board is comprised of the Water Resources Commissioner for Oakland County, the Chair of the Oakland County Board of Commissioners, and the Finance Chair. The Board meets regularly to conduct its business, and is required to comply with the Open Meetings Act, providing for even greater transparency.

In order to complete the conversion to a Chapter 20 Drain, all participating communities are required to approve the attached 471 Agreement. This Agreement is the culmination of many meetings with the municipal attorneys, engineers, public works directors, and management. It has already been approved by some of the participating municipalities and Oakland County.

Under the terms of this Agreement, Troy's allocation of the expenses is 3.15%, and the estimated cost of the mandated improvements is \$2,290,050. The approval of this Agreement is not going to result in any modification to Troy's current practices. City Administration recommends approval of the attached 471 Agreement, converting the Evergreen-Farmington Sanitary Sewer System into the Evergreen-Farmington Drain District.



500 West Big Beaver
Troy, MI 48084
troymi.gov

CITY COUNCIL AGENDA ITEM



July 8, 2021

To: The Officials and Representatives of the 15 Municipalities Served
by the Evergreen-Farmington Sanitary Drain

Re: Evergreen-Farmington Sanitary Drain Chapter 20 Section 471 Agreement

The Evergreen-Farmington Sanitary Drain is under an Administrative Consent Order, issued by the Michigan Department of the Environment, Great Lakes, and Energy (EGLE). The Evergreen-Farmington Sanitary Drain serves 15 Oakland County municipalities. On behalf of these communities, as the Oakland County Water Resources Commissioner, I submitted a Corrective Action Plan to EGLE on April 1, 2020. The Administrative Consent Order requires execution of this plan by November 1, 2022. The plan includes purchasing additional outlet capacity from the Great Lakes Water Authority (GLWA) and the construction of projects along 8 Mile and Evergreen Roads. This allows peak wet weather flow from the apportioned communities to reach the outlet that discharges to GLWA.

In order to facilitate the Corrective Action Plan projects, two communities petitioned the County to form the Evergreen-Farmington Sanitary Drain under Chapter 20 of the drain code. As part of the transition to a drain a new service agreement between the customer communities and the Evergreen-Farmington Sanitary Drain, often called a 471 Agreement named after section 471 of the Drain code, is needed. The Evergreen-Farmington Sanitary Drain 471 agreement:

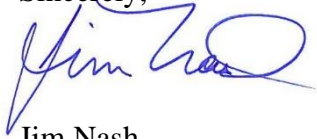
- Provides the system authority for establishing regional operations
- Replaces the 1989 intermunicipal agreement, effectively extending the contract beyond the bond period (the current agreement expires in 2029)
- Requires approval of all communities served by the Evergreen-Farmington Sanitary Drain
- Establishes new community capacities
- Includes apportionment assessments
- Includes the preliminary improvement plan and cost estimates
- Describes rate methodology approach (current methodology is not anticipated to change)

My office has worked on the agreement with the Evergreen-Farmington Sanitary Drain communities over the past several months. The last outreach meeting was held on June 28, 2021. No additional customer comments were received. Therefore, the provided agreement is amenable to all parties. Approval of the 471 Agreement moves the Evergreen-Farmington Sanitary Drain one step closer to the goal of getting out of the Administrative Consent Order by reducing the frequency and volume of sanitary sewer overflows. The Evergreen-Farmington Sanitary Drain Chapter 20 Section 471 Agreement will be on the drain board meeting agenda for approval on July 27, 2021.

In order to maintain the Corrective Action Plan project schedule, I am seeking your approval and signature on the attached Evergreen-Farmington Sanitary Drain Chapter 20 Section 471 Agreement by August 20, 2021. If you have questions or need support to obtain approval, my team and I are here to assist you. We welcome the opportunity to attend a board or council meeting to discuss. If you need assistance in seeking approval, please contact Carrie Ricker Cox, P.E., at coxc@oakgov.com or 248-470-1314.

Thank you for helping us move this project forward and partnering with my office to work towards eliminating both the Evergreen-Farmington Sanitary Drain and customer community Administrative Consent Orders to reduce the frequency and volume of sanitary sewer overflows.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jim Nash", with a stylized flourish at the end.

Jim Nash

EVERGREEN-FARMINGTON SANITARY DRAIN DRAINAGE DISTRICT
CHAPTER 20 SECTION 471 AGREEMENT

This Agreement, dated the ____ day of _____, 2021, by and among the Drainage Board for the Evergreen Farmington Sanitary Drain Drainage District (the “Drainage Board”), the City of Auburn Hills, the Village of Beverly Hills, the Village of Bingham Farms, the City of Birmingham, the Charter Township of Bloomfield, the City of Bloomfield Hills, the City of Farmington, the City of Farmington Hills, the Village of Franklin, the City of Keego Harbor, the City of Lathrup Village, the City of Orchard Lake Village, the City of Southfield, the City of Troy and the Charter Township of West Bloomfield (each, a “Public Corporation” and collectively, the “Public Corporations”). The Drainage Board and the Public Corporations are sometimes referred to each as a “Party” and collectively as the “Parties.”

WHEREAS, by Resolution No. 7674, adopted September 2, 1976, and pursuant to the provisions of Act No. 342 of the Public Acts of Michigan of 1939, as amended (“Act 342”), the County of Oakland (the “County”) established the Evergreen-Farmington Sewage Disposal System (the “EFSDS” or the “System”) and designated and appointed the Oakland County Drain Commissioner, now the Oakland County Water Resources Commissioner, as the “county agency” for the System pursuant to Act 342 (the “County Agency”), with all the powers and duties with respect to the acquisition, construction and financing of facilities for the System as are provided by law especially Act 342; and

WHEREAS, Section 3 of Act 342 authorizes the County Agency to make and execute proposed alterations, changes, and extensions of the improvements, facilities, or services authorized herein; to locate, acquire, purchase, construct, alter, repair, maintain, and operate the improvements, facilities, and services authorized herein and enter into and execute contracts therefor; and

WHEREAS, the County Agency and the Public Corporations serviced by the EFSDS entered into the Evergreen and Farmington Sewage Disposal Systems Intermunicipal Contract Concerning Wastewater Treatment and Pollution Control Projects, dated September 30, 1989 (the “342 Agreement”); and

WHEREAS, certain of the Public Corporations petitioned for the location, establishment and construction of an intra-county drain project consisting of the sewage disposal system previously known as the EFSDS and all improvements necessary or prudent to bring the EFSDS into compliance with Administrative Consent Order 04995 entered by the State of Michigan Department of the Environment, Great Lakes, and Energy on August 14, 2019 (the “ACO”); and

WHEREAS, the Drainage Board named said drain project the Evergreen-Farmington Sanitary Drain (the “Drain”, and the improvements to be undertaken to comply with the ACO also referred to herein as the “Project”) and named the drainage district composed of the Public Corporations the Evergreen-Farmington Sanitary Drain Drainage District (the “Drainage District”) composed of the Public Corporations to be assessed for the Drain, pursuant to Chapter 20 of the Michigan Drain Code, Act No. 40 of the Public Acts of Michigan of 1956, as amended (the “Drain Code”) and issued its Final Order of Determination as executed by the Chairperson of the Drainage Board on November 17, 2020 (the “Final Order of Determination”); and

WHEREAS, as provided in the petitions, the issuance of bonds to finance the Project is contingent upon the Public Corporations and the Drainage District entering into an agreement as provided by law setting forth the services and operations of the Drainage District and to provide for methods of addressing and apportioning future improvements to the Drainage District; and

WHEREAS, Section 471 of the Drain Code authorizes the Drainage Board to contract with any public corporation including any agency thereof, including the Public Corporations and the County Agency; and

WHEREAS, the Drainage Board and the Public Corporations acknowledge that the underlying purpose of this Agreement, entered into pursuant to the authority provided in Section 471 of the Drain Code, is to fully satisfy the terms of the petitions and allow for the issuance of bonds to finance the Project; supersede and replace the Act 342 Agreement; provide for the operations, maintenance, and administration of the Project and the Drainage District by the Drainage Board; acknowledge responsibilities with respect to outstanding debt obligations issued to finance EFSDS improvements; and promote communication by and among the Drainage Board and the Public Corporations; and

WHEREAS, it is understood and agreed that the entire cost of the Project and the entire cost for the operations, maintenance, and administration of the Drainage District is to be assessed against the Public Corporations pursuant to Chapter 20 of the Drain Code.

NOW, THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS.

AGREEMENT

1. **Evergreen-Farmington Sanitary Drain Drainage District.** The Parties acknowledge the legal establishment of the Drain and the Drainage District pursuant to the Final Order of Determination and in accordance with applicable law including, but not limited to Chapter 20 of the Drain Code. The Parties acknowledge that the Project is to provide improvements necessary or prudent to bring the EFSDS, now the Drainage District, into compliance with the ACO.

2. **Town Outlet Capacity.** The Parties acknowledge that each Public Corporation's respective ability to discharge to the Drain is limited to that provided in the Town Outlet Capacities attached as **Exhibit 1 (Town Outlet Capacities)**. The Town Outlet Capacities provided herein will not be available until after the full completion of the project described in this Agreement. After a Public Corporation reaches its Town Outlet Capacity, that Public Corporation shall have the right to contract for any additional needed capacity outside of the Drain, but it shall retain its obligation to deliver its Town Outlet Capacity to the Drain. The Drainage District agrees that each Public Corporation shall retain the right to deliver wastewater in the amount as set forth for its respective Town Outlet Capacity, to the Drain subject to the terms and conditions of this Agreement, including any extension thereof, so long as each Public Corporation shall continue to pay the amount specified herein for its respective assessment of the cost of the Project, the operation, maintenance and improvement, and administration of the Drainage District, and any additional facilities of the Drainage District as provided herein. No Public Corporation shall have the right unilaterally to terminate or reduce such payments, but if any such Public Corporation

shall breach such obligation, the Drainage District shall be authorized to terminate or reduce such delivery rights or to transfer such delivery rights to other public corporations, whether a party hereto or not. The discharge of wastewater into the Drain from any Public Corporation whether a Party or not, shall not exceed the Town Outlet Capacity of such public corporation. Responsibility and authority will be vested with the Drainage District to oversee and regulate the discharge of wastewater from each Public Corporation and take appropriate actions to protect the rights of the Drainage District to promote each Public Corporations to discharge up to but not in excess of its respective Town Outlet Capacity. The Drainage District acknowledges that exceedances may occur from time to time. If a Public Corporation exceeds their respective Town Outlet Capacity, all Public Corporations tributary to that location will meet with the Drainage District to discuss the reasons for non-compliance. Public Corporations found by the Drainage District to be in exceedance of their respective Town Outlet Capacity can be required by the Drainage District to develop and implement a written corrective action plan acceptable to the Drainage District within 90 days of the Drainage District's finding or as otherwise agreed. A written corrective action plan shall be consistent with the Evergreen-Farmington Sanitary Drain Cohesive Operating Protocol or successor protocol, plan, or document. In the event it becomes necessary or prudent to install meters to monitor the flow of wastewater into the Drain, the costs for installation and operation of such meters shall be borne by all Public Corporations as a general system cost and shall be assessed or otherwise be obligated to be paid in accordance with Chapter 20 of the Drain Code.

3. **EFSDS Transfer And Legal Title.** The Parties acknowledge that the EFSDS is hereby transferred to and established as the Drain in accordance with law and the ACO notice provisions. The Drainage Board shall be responsible for the operations, maintenance, and administration of the Drainage District in accordance with Chapter 20 of the Drain Code.

4. **EFSDS Outstanding Debt Obligations.** The Parties acknowledge that there are outstanding debt obligations issued by the County for improvements to the EFSDS, attached as **Exhibit 2 (Index of Outstanding EFSDS Bonds)**. The Parties hereby covenant and agree that, so long as any such bonds or other debt obligations remain outstanding and unpaid, the provisions of this Agreement shall not impair the security for the bonds or other obligations or the prompt payment of principal or interest thereon. The Public Corporations, the Drainage Board, and the County Agency further covenant and agree that they will comply with their respective duties and obligations under the terms of this Agreement promptly, and will not suffer to be done any act which would in any way impair bonds or other debt obligations, the security therefor, or the prompt payment of interest thereon. The Parties acknowledge that such outstanding debt obligations will continue to be serviced in the manner that they are currently being serviced, and that the County Agency shall continue to pay the County of Oakland the amounts necessary to meet all such bond payments, debt service, and obligations until and unless otherwise agreed between the Drainage District and the County. The Parties further acknowledge that with respect to any debt issued pursuant to Act 342, the Oakland County Water Resources Commissioner will continue in the capacity as County Agency, as designated and appointed by the County for the EFSDS for carrying out the purposes of and exercising the powers and duties vested in any contract entered into by and among the County and any of the Public Corporations pursuant to Act 342 (any such contract referred to herein as an "Act 342 Contract"). Any Party that is party to an Act 342 Contract ratifies and confirms its obligations under any such Act 342 Contract and agrees to continue to carry out its obligations under such Act 342 Contract, including the payment of amounts required to be paid by any Public Corporation to the County Agency for the payment of debt service and any County

Agency administrative expenses, as provided in the Act 342 Contract. To the extent there is any inconsistency between an Act 342 Contract and this Agreement, the terms of the Act 342 Contract will prevail.

5. **Drainage District Operations.** The Drainage District shall operate in accordance with accepted public utility operational procedures. The Drainage District shall not be liable to any Public Corporation, or any individual user therein, for any interruption in service. The Public Corporations agree to comply with their respective administrative consent orders. A list of the Public Corporation's Administrative Consent Orders is provided in **Exhibit 3 (Public Corporation Administrative Consent Orders)**.

6. **Public Corporation Consent To Location of Drainage District.** The Public Corporations, by way of compliance with Section 29, Article VII, Michigan Constitution of 1963, consent and agree to the establishment and location of the Drain and of other extension, improvement or enlargement thereof, within their corporate boundaries and to the use by the Drainage District of their streets, highways, alleys, lands, rights-of-way or other public places for the purpose and facilities of the Drain and any improvement, enlargement or extension thereof. The Public Corporations further agree that in order to evidence and effectuate the foregoing agreement and consent, they will execute and deliver to the Drainage District such grants of easement, right-of-way, permit or consent as may be requested by the Drainage District. Each Public Corporation agrees to transmit to the Drainage District wastewater collected within its respective boundary or otherwise provided by contract up to its Town Outlet Capacity, at reception points designated by the Drainage District, and the Drainage District agrees that the Drainage District shall accept and dispose of such wastewater for treatment.

7. **Public Corporation Wastewater.** Each Public Corporation shall be responsible at its own expense to properly operate and maintain its respective sewer system to collect and deliver wastewater flow to the Drain. The Drainage District shall have no responsibility for the Public Corporations' sewer systems. The Public Corporations shall be responsible for the character of their respective wastewater flows and shall comply with standards, rules, and regulations controlling the transportation and discharge of wastewater to the Drain. Each Public Corporation by the adoption of appropriate ordinances or rules or regulations shall enforce all legal requirements and Drainage District requirements including those relating to industrial pretreatment. Each Public Corporation shall not deliver wastewater to the Drain in violation of applicable standards, rules, and regulations, causes physical damage to the Drain, or contributes to an event of noncompliance to the Drainage District's permit or other regulatory requirements.

8. **Service Area.** The service area of the Drain is depicted in **Exhibit 4 (Service Area Map)** which service area consists of the EFSDS interceptor system as configured as of the date of establishment of the Drain and Drainage District by execution of the Final Order of Determination, and includes areas served pursuant to existing service agreements of certain Public Corporations with other municipalities outside of the Drainage District as listed in **Exhibit 5 (Index of Public Corporation Agreements to Accept Wastewater From Other Municipalities)**. The Parties understand that the Drainage District is currently subject to the contract between the EFSDS (and as anticipated to be transferred and assigned to the Drainage District) and the Detroit Water And Sewerage Department (as has been assigned to the Great Lakes Water Authority). The Parties also understand that the Drainage District is currently negotiating a new contract with the Great Lakes

Water Authority. No Public Corporation that is a party to this contract shall divert flow that is presently tributary to the Drain to another sewage treatment plant or facility or construct or permit the construction of any new sewage treatment plant or facility within the Drainage District without the approval of the Drainage Board.

9. **Assessments of Public Corporations For the Payment Of Project Costs.** The Parties acknowledge and approve the Project and the preliminary plans and cost estimates for the Project attached as **Exhibit 6 (Project Preliminary Plans And Cost Estimates)**. The Project is limited to those improvements described in the petitions of the Charter Township of West Bloomfield dated July 13, 2020 and the City of Southfield dated July 20, 2020 and the Final Order of Determination of the Drainage Board dated November 17, 2020. The Public Corporations acknowledge and agree to pay the Drainage District for all Project costs, including the acquisition, construction, and financing of the Project in accordance with the approved Final Order of Apportionment, executed by the Chairperson of the Drainage Board on June 22, 2021, establishing the assessment percentages as described in **Exhibit 7 (Final Order of Apportionment Assessment Percentages)**. All matters relating to engineering plans and specifications, together with the making and letting of final contracts for acquisition and construction of the Project, the approval of the work and materials therefor, and construction supervision, shall be under the exclusive control of the Drainage Board. The Drainage Board shall maintain appropriate insurance coverage for the Project. The insurance premiums for policies secured by the Drainage Board for the Project shall become a Project cost. In the event the amount of any judgment, arbitration award or settlement, including litigation costs, are payable by the Drainage Board, such amount shall be a Project cost. It is specifically recognized by all Public Corporations that the Drainage Board may issue bonds on behalf of the Drainage District in anticipation of the collection of assessments or other payments required to be made by the Public Corporations under the provisions of Chapter 20 of the Drain Code and as described in this Agreement, and the Public Corporations covenant and agree that they will make all required payments to the Drainage Board promptly and at the times specified herein.

10. **Assessments and Charges to Public Corporations For The Payment Of Drainage District Operations, Maintenance, and Administration Costs.** The Public Corporations shall pay the Drainage Board for the operation, maintenance, and administration of the Drain and related wastewater services at such amounts as the Drainage Board may establish from time to time based on the aggregate quantity of wastewater on a multi-year rolling average method entering the Drain attributable from the Public Corporations or any other method as determined by the Drainage Board, based on the benefits that accrue to each Public Corporation and the extent to which each Public Corporation contributes to the conditions that make the Drainage District necessary. At least annually, representatives of the Drainage Board shall offer to meet with the Public Corporations and discuss the method of assessment of operation, maintenance, and administration of the Drain. The Parties acknowledge that amounts charged by the Drainage Board to each Public Corporation will include all applicable costs and expenses associated with financing, administration, operation and maintenance, sewage disposal charges or other applicable expenses as determined by the Drainage Board, and will include an allocable share of debt service owed on outstanding bonds and other obligations issued by the County for improvements to the EFSDS. In the event that the Drainage District is billed directly by the Great Lakes Water Authority for charges associated with high strength and industrial wastewater flows, such charges may be invoiced directly to the responsible Public Corporation(s) as determined by

the Drainage Board. Each of the Public Corporations reserves the right to establish the manner in which it assesses and charge properties within the Public Corporation benefiting especially from the Drain or otherwise provide for the amounts needed to pay for the Drainage District assessments, in accordance with the Drain Code and other applicable law. Operation, maintenance, and administrative expenses shall include, but not be limited to, such amounts as in the judgment of the Drainage Board to pay for any losses or legal expenses arising from the operation, maintenance and improvement, and administration of the Drain and the repair and replacement of the Drainage District's administrative facilities, equipment, accessories, or appurtenances as may be reasonably necessary or prudent. If the character of wastewater transmitted from any Public Corporation is in violation of applicable standards, rules, and regulations, causes physical damage to the Drain, or contributes to an event of noncompliance to the Drainage District's permit or other regulatory requirements, the Drainage Board may apply an additional assessment to the respective Public Corporation and, if necessary or prudent, the Drainage Board shall have the right for the protection of the Drainage System and the public health or safety, to deny discharge of wastewater to the Drainage District.

11. **Administration, Auditing, Financial Services, and Other Overhead Expenses.**

The Drainage Board is authorized, but not required, to use the Oakland County Water Resources Commissioner, the County of Oakland, or third party personnel, equipment, or services for the operations, maintenance, or administration of the Drain. The Public Corporations agree that the costs of contract, administration, auditing, financial services, and other overhead expenses are part of the Drain costs whether provided by County personnel or third parties. This includes allocable share of reasonable personnel cost, salary, and fringe benefits as determined by the Drainage Board.

12. **Billing.** The assessments and charges as herein provided shall be billed on either a monthly or quarterly basis by the Drainage Board to the Public Corporations. It is understood and agreed, that the payment of charges for services as provided herein for each Public Corporation shall be the general obligation of such Public Corporation, and the Drainage Board shall have the right to utilize any method permitted by law for the collection of such charges due to the Drainage Board under this contract.

13. **Nonassignment.** A Public Corporation shall not assign any claim, right, or privilege it may have under this Agreement or under law from or against the Drainage District to any other Public Corporation, person, or entity whatsoever without the prior written approval of the Drainage Board.

14. **Drainage District Rules And Regulations.** The Drainage Board may establish general rules and regulations for the Drainage District consistent with applicable law, rules, and regulations controlling the quantity and quality of the discharge of the users to the Drain. Nothing herein shall prohibit the Drainage Board from establishing rules and regulations more stringent than those required by applicable law, rules, and regulations, if, in the judgment of the Drainage Board stricter rules and regulations are necessary or prudent to protect the integrity of the Drainage District. Further, each Public Corporation agrees to enforce such rules and regulations as the Drainage Board adopts from time to time.

15. **No Territorial Change of Public Corporation.** No change in the jurisdiction over territory in any Public Corporation shall in any manner impair the obligations of this Agreement, supplement or amendment. In the event all or any part of the territory of a Public Corporation is incorporated as a new city or is annexed to or becomes a part of the territory of another Public Corporation or another public corporation, the Public Corporation or public corporation into which such territory is incorporated or to which such territory is annexed, shall assume the proper proportionate share of the contractual obligations and rights in the Drainage District of the Public Corporation from which territory is taken and such a Public Corporation shall become a Public Corporation in this Agreement, based upon a division determined by the Drainage Board in its sole discretion.

16. **Term.** This Agreement shall remain in full force and effect for an initial term of thirty (30) years from the Effective Date as provided in Section 26, and shall be automatically extended for an addition ten (10) year term beyond the initial term and thereafter automatically extended for ten (10) year intervals unless terminated by the Parties as provided herein; provided that, in no event shall this Agreement be terminated if any bonds, notes or other debt of the Drainage District remain outstanding. It is understood that this Agreement shall automatically and without further action of the Parties, be extended to such date beyond the initial term and any extension thereto to coincide with the date on which all of the principal of and interest on any such bonds, notes or other debt have been fully paid. Expiration or termination of this Agreement shall not impact in any way the Parties rights, duties and obligations and the Drainage Board's rights and obligations to the continued operation, maintenance and improvement, and administration of the Drain under Chapter 20 of the Drain Code.

17. **Termination.** Following the initial term or the full payment of the principal of, and interest on, any and all bonds, notes or other debt of the Drainage District, whichever is later, this Agreement may be terminated by any Party upon a minimum of 365 calendar days written notice to each of the other Parties to this Agreement. The written notice shall state the effective date of the termination.

18. **Governing Law.** This Agreement is made and entered into in the state of Michigan and shall be interpreted, enforced, and governed under the laws of the state of Michigan. The language of this Agreement is intended to be construed as a whole according to its fair meaning and not construed strictly for or against any Party.

19. **Lawsuits or Claims.** The Parties agree that the costs and expenses of any lawsuits, disputes, or claims of any kind arising directly or indirectly out of this Agreement to the extent such costs and expenses are chargeable against the Drainage District shall be deemed to constitute part of the cost of the Drain and shall be paid by the Public Corporations in the same manner as other costs of the Drain.

20. **Third Party Beneficiaries.** There are no intended third party beneficiaries to this Agreement.

21. **Government Function.** This Agreement does not, and is not intended to, impair, divest, delegate, or contravene any constitutional, statutory, or other legal right, privilege power,

obligation, duty, or immunity of the Parties. The obligations in this Agreement are in the exercise or discharge of a governmental function.

22. **Notices.** Notice of a legal nature shall be sent by certified first class mail, return receipt requested or by personal delivery as follows:

Drainage District:

Oakland County Water Resources Commissioner
One Public Works Drive, Building 95-West
Waterford, Michigan 48328

Public Corporation:

Authorized representative for such Public Corporation

All Notices shall be considered delivered to a Party on the date of receipt as represented by the return receipt or by proof of personal service. Any Notice given must be signed by an authorized representative.

23. **Entire Agreement, Amendment, Counterparts, and Enforceability.** This Agreement sets forth the entire understanding of the Parties concerning its subject matter and specifically supersedes and replaces the Act 342 Agreement. The terms and conditions are contractual and not mere recital. This Agreement may be amended by a writing executed by all Parties with persons with legal authority to bind the respective Party. This Agreement may be executed in several counterparts, each of which shall be considered an original, but all of which shall constitute one and the same instrument. The recital and whereas provisions of this Agreement are considered an integral part of this Agreement. If any provision of this Agreement is judicially determined to be invalid or unenforceable, the remainder of this Agreement (other than those found to be invalid or unenforceable) is not affected and is enforceable, provided that the invalid or unenforceable provision does not substantially alter the Agreement or make execution impractical.

24. **Public Purpose.** The Drainage Board and the Public Corporations enter this Agreement to serve the public health and welfare of the people of the state of Michigan, especially in the Drainage District.

25. **Successor and Assigns.** This Agreement is binding on, and for the benefit of, the Parties and their respective their successors and assigns, subject to the provisions of this Agreement precluding assignment.

26. **Existing Rights.** Nothing in this Agreement shall impact the existing rights or obligations of any Party.

27. **Effective Date.** This Agreement shall become effective as of the date first written above.

[Signatures on next page]

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed effective as of the date and year first above written.

**EVERGREEN-FARMINGTON SANITARY
DRAIN DRAINAGE DISTRICT**

By:_____

Its:_____

COUNTY OF OAKLAND

By:_____

Its: County Agency, pursuant to Act No. 342 of the
Public Acts of Michigan, 1939, as amended

CITY OF AUBURN HILLS

By:_____

Its:_____

And:_____

Its:_____

VILLAGE OF BEVERLY HILLS

By:_____

Its:_____

And:_____

Its:_____

VILLAGE OF BINGHAM FARMS

By: _____

Its: _____

And: _____

Its: _____

CITY OF BIRMINGHAM

By: _____

Its: _____

And: _____

Its: _____

TOWNSHIP OF BLOOMFIELD

By: _____

Its: _____

And: _____

Its: _____

CITY OF BLOOMFIELD HILLS

By: _____

Its: _____

And: _____

Its: _____

CITY OF FARMINGTON

By:_____

Its:_____

And:_____

Its:_____

CITY OF FARMINGTON HILLS

By:_____

Its:_____

And:_____

Its:_____

VILLAGE OF FRANKLIN

By:_____

Its:_____

And:_____

Its:_____

CITY OF KEEGO HARBOR

By: _____

Its: _____

And: _____

Its: _____

CITY OF LATHRUP VILLAGE

By: _____

Its: _____

And: _____

Its: _____

CITY OF ORCHARD LAKE VILLAGE

By: _____

Its: _____

And: _____

Its: _____

CITY OF SOUTHFIELD

By: _____

Its: _____

And: _____

Its: _____

CITY OF TROY

By:_____

Its:_____

And:_____

Its:_____

**CHARTER TOWNSHIP OF WEST
BLOOMFIELD**

By:_____

Its:_____

And:_____

Its:_____

INDEX OF EXHIBITS

1. Exhibit 1 (Town Outlet Capacities). Para 2.
2. Exhibit 2 (Index of Outstanding EFSDS Bonds). Para 4.
3. Exhibit 3 (Public Corporation Administrative Consent Orders). Para 5
4. Exhibit 4 (Service Area Map). Para 8.
5. Exhibit 5 (Index of Public Corporation Agreements to Accept Wastewater From Other Municipalities). Para 8.
6. Exhibit 6 (Project Preliminary Plans And Cost Estimates). Para 9.
7. Exhibit 7 (Final Order of Apportionment Assessment Percentages). Para 9.

EXHIBIT 1

TOWN OUTLET CAPACITIES

Exhibit 1
Evergreen-Farmington Sanitary Drain
Town Outlet Capacities

Meter	Most Downstream Public Corporation	Town Outlet Capacity* (cfs)	Tributary Public Corporations																		
			AHC	BFV	BHC	BHV	BIC	BLT	FAC	FHC	FRV	KHC	LVC	OLC	SOC	TRC	WBT	AP	BV	Birm	EFSD
3460	AHC	2.72	✓					✓													✓
3707	BFV	2.63		✓							✓										✓
3390	BHC	15.19	✓		✓			✓													✓
3510	BHC	0.29			✓																✓
3240	BHV	54.08	✓	✓	✓	✓	✓	✓					✓		✓	✓	✓	✓	✓	✓	✓
3230	BHV	2.26																			✓
3340	BLI	6.67		✓		✓		✓		✓						✓					✓
3320	BLT	26.34	✓		✓		✓	✓							✓					✓	✓
3500	BLT	11.48			✓			✓							✓						✓
3530	BLT	0.17						✓													✓
3450	BLT	0.18						✓													✓
3440	BLT	4.19	✓		✓			✓													✓
3430	BLT	2.30			✓			✓													✓
3420	BLT	1.91						✓													✓
3640	BLT	2.89			✓			✓								✓					✓
3630	BLT	0.91			✓			✓													✓
3610	BLT	0.33			✓			✓													✓
3470	BLT	0.49						✓													✓
4840	BLT	6.88						✓								✓					✓
4810	BLT	8.67						✓								✓					✓
4920	FAC	7.30							✓	✓											✓
4930	FHC	2.23								✓											✓
4940	FHC	4.09								✓											✓
4000	FHC	76.16						✓	✓	✓		✓		✓		✓					✓
3910	FHC	8.07						✓		✓		✓		✓		✓					✓
4050	FHC	32.00						✓		✓		✓		✓							✓
4500	FHC	23.97								✓						✓					✓
3753	FRV	0.51									✓										✓
3763	FRV	0.15									✓										✓
4130	KHC	3.48										✓		✓		✓					✓
3100	LVC	2.66											✓								✓
3130	LVC	6.05											✓								✓
4110	OLC	0.49												✓		✓					✓
4121	OLC	4.93												✓							✓
4125	OLC	0.51												✓							✓
3003	SOC	195.51	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
3260	SOC	2.34												✓							✓
3700	SOC	18.26		✓							✓			✓							✓
3800	SOC	9.88						✓		✓		✓		✓		✓					✓
3900	SOC	9.69						✓		✓		✓		✓		✓					✓
3520	TRC	7.86						✓								✓					✓
3540	TRC	1.02						✓								✓					✓
4541	WBT	3.07								✓							✓				✓
4560	WBT	2.08															✓				✓
4580	WBT	2.82															✓				✓
4600	WBT	4.33															✓				✓
4140	WBT	1.55															✓				✓
4100	WBT	13.19										✓		✓			✓				✓
4801	WBT	2.98						✓									✓				✓
4820	WBT	0.74						✓									✓				✓
4850	WBT	2.96															✓				✓
4860	WBT	1.00															✓				✓
4870	WBT	0.82						✓									✓				✓
4804+4806	WBT	12.63						✓		✓							✓				✓

Each Public Corporation's Town Outlet Capacity is limited to the particular flow from the respective meter, irrespective of whether the flow rates listed were derived from flow generated from multiple Public Corporations including tributary portion(s) of each Public Corporation. Corrective action by a Public Corporation may be required by the Drainage District because of flow generated from a tributary Public Corporation contributing to a flow rate that is greater than a Town Outlet Capacity.

* As measured on a rolling hourly average as defined as the average of uniform time step data across any 60 minute period where each 60 minute average shifts one time step.

EXHIBIT 2

INDEX OF OUTSTANDING EFSDS BONDS

<u>Name of Bonds</u>	<u>Original Principal Amount</u>	<u>Issue Date</u>	<u>Maturity Dates</u>
Evergreen-Farmington Sewage Disposal System 8 Mile Road Pumping Station Bonds, Series 2012	\$2,415,000	4/10/2012	10/1/2013-2032
Evergreen and Farmington Sewage Disposal Systems Middlebelt Transport and Storage Tunnel Bonds, Series 2014	\$36,855,000	9/17/2014	10/1/2017-2036
Evergreen and Farmington Sewage Disposal Systems North Evergreen Interceptor Bonds, Series 2015	\$3,700,000	10/13/2015	10/1/2016-2027, 2029, 2031, 2033, 2035
Evergreen and Farmington Sewage Disposal Systems North Evergreen Interceptor Bonds, Series 2017	\$4,805,000	5/31/2017	3/1/2018-2037
Evergreen and Farmington Sewage Disposal Systems Middlebelt Transport and Storage Tunnel Bonds. Series 2017	\$995,000	9/28/2017	Mandatory redemption 9/1/2018-2027
Evergreen-Farmington Sewage Disposal System Refunding Bonds. Series 2018	\$3,065,000	2/28/2018	4/1/2019-2031

<u>Name of Bonds</u>	<u>Original Principal Amount</u>	<u>Issue Date</u>	<u>Maturity Dates</u>
Evergreen and Farmington Sewage Disposal System Capital Improvement Bonds. Series 2018A	\$8,300,000	9/20/2018	4/1/2019-2033
Evergreen and Farmington Sewage Disposal System Capital Improvement Bonds. Series 2020A	\$3,910,000	3/26/2020	7/1/21-2029

EXHIBIT 3

PUBLIC CORPORATION ADMINISTRATIVE CONSENT ORDERS

Community	ACO #
Beverly Hills	AFO-SW-09-002
Bloomfield Hills	AFO-SW-09-004
Bloomfield Township	AFO-SW-09-003
Farmington	ACO-SW-05-005
Farmington Hills	ACO-SW-05-006
Lathrup Village	AFO-SW-09-007
Troy	AFO-SW-09-006
West Bloomfield Township	AFO-SW-09-005

EXHIBIT 4

SERVICE AREA MAP

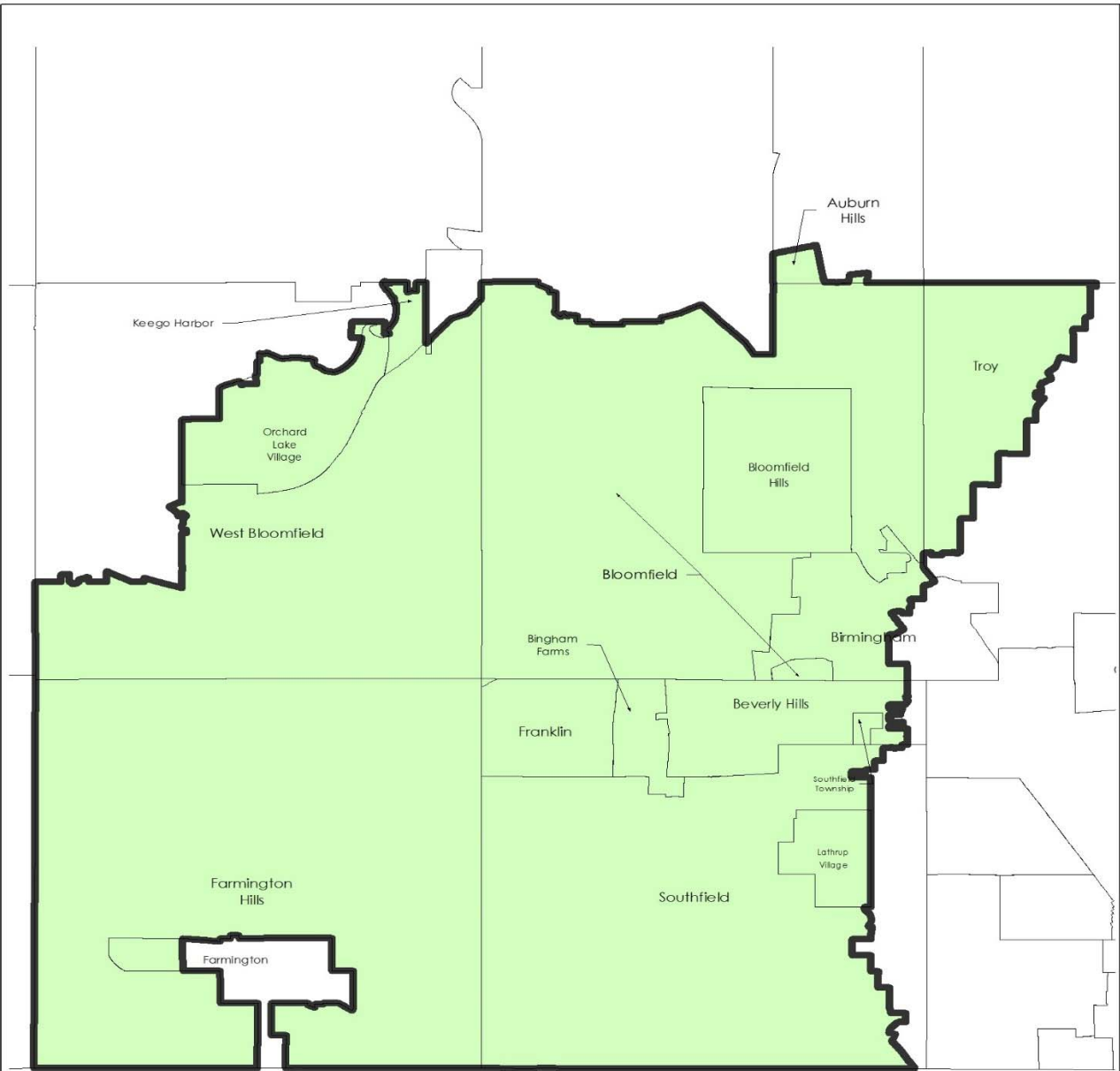


EXHIBIT B EVERGREEN-FARMINGTON AREA TO BE SERVED

Legend

- Municipal District
- Evergreen Farmington Sanitary Drain

Disclaimer: The information provided in this system has been compiled from recorded deeds, plats, tax maps, surveys and other public records and data. It is not a legally recorded map or survey and is not intended to be used as one. Users of this data are hereby notified that the information sources mentioned above should be consulted for verification of the information.



Revised: June, 2022
City of Farmington and City of Troy, Michigan
City of Farmington and City of Troy, Michigan
City of Farmington and City of Troy, Michigan

EXHIBIT 5

**INDEX OF PUBLIC CORPORATION AGREEMENTS TO ACCEPT
WASTEWATER FROM OTHER MUNICIPALITIES**

1. That certain Letter Agreement between the Township of West Bloomfield and the City of Sylvan Lake dated circa December 24, 1963 and countersigned on January 8, 1964 respecting the Sylvan Manor Arm.

EXHIBIT 6

PROJECT PRELIMINARY PLANS AND COST ESTIMATES

Overall Project Preliminary Plans and Cost Estimates

Total Estimated Project Cost: \$72,700,000

The Total Estimated Project Cost is \$72,700,000.00. This includes the 4 component projects described below including the following: (1) Great lakes Water Authority (“GLWA”) Capacity Purchase Project; (2) 8 Mile Road Outlet Conveyance Project; (3) Evergreen Road Conveyance, Walnut Lake Pump Station #1 Project; and (4) Lathrup Village Sanitary Retention Tank Improvements. The preliminary plans including the basis of design and other projects documents are on file with the Water Resources Commissioner’s office and have been the subject of monthly meetings of the Corrective Action Plan Steering Committee of the EFSD since 2019 and presented and discussed at the public meetings of the EFSD.

Project Name: GLWA Capacity Purchase

Owner: Evergreen-Farmington Sanitary Drain

Location: Various

Engineer of Record: Applied Science, Inc.,

Estimated Purchase Capacity: \$33,000,000

Total Estimated Project Cost: \$34,130,000

Tentative Purchase Date: December 2021-January 2022

The existing contractual outlet capacity pursuant to the August 29, 1984 Detroit-Oakland Agreement for the Use of Certain Detroit Sewers for the Evergreen – Farmington District is a maximum rate of discharge of 170 cubic feet per second (cfs). The contractual agreement includes provision for increasing the maximum rate of discharge as may be agreed to by the parties. A proposed increase in the EFSD maximum rate of discharge of 57 cfs, for a revised total contractual capacity of 227 cfs is tentatively agreed to among parties. In order to accept this additional flow, GLWA must remove offsetting flow from the system. Two projects are requested for GLWA to meet these EGLE requirements, the DWSD West Warren Sewer Separation Project and the GLWA West Warren Outfall project. The purchase capacity cost is guided by but not tied directly to the anticipated project costs from these two projects. The engineer for the GLWA Purchase Capacity is Applied Science, Inc. The anticipated negotiated purchase capacity is \$33,000,000. The cost for the corrective action plan and coordination with EGLE, GLWA and DWSD is anticipated to be \$1,250,000. Evergreen-Farmington Sanitary Drain anticipates purchasing the capacity in the last part of 2021 or early 2022.

Project Name: 8 Mile Road Outlet Conveyance

Owner: Evergreen Farmington Sanitary Drain

Location: 8 Mile Pump Station and along 8 Mile Road in Southfield, Michigan

Engineer of Record: Fishbeck

Engineer’s Estimate of Construction Cost: \$18,610,000

Total Estimated Project Cost: \$32,060,000

Tentative Bid Date: Spring of 2022

The project to allow more flow to be conveyed involves modifications to the 8 Mile Pump Station and existing discharge piping by slip lining approximately 3,800 feet of the downstream 60-inch I.D. South Evergreen Interceptor to a 54-inch diameter sewer. In addition, modifications will be made to the pump station pumping capacity to help control the water levels upstream of the 8 Mile Pump Station. A new tributary collector sewer will be constructed to capture and convey flows from areas disconnected from the newly lined section of the South Evergreen Interceptor. In addition, the 8 Mile Drain at the Evergreen Emergency SSO Chamber will be modified.

Project Name: Lathrup Village Sanitary Retention Tank Improvements

Owner: Lathrup Village

Location: 19600 Sunnybrook Avenue, Lathrup Village, Michigan

Engineer of Record: Hubbell, Roth & Clark, Inc.

Engineer's Estimate of Construction Cost: \$520,000

Total Estimated Project Cost: \$1,030,000

Tentative Bid Date: Spring of 2022

The project involves improvements and modifications to the Lathrup Sanitary Retention Basin. The major work items include electrical and mechanical improvements to the SRT heating, influent pumping and dewatering systems; structural restoration to the roof and walls; upgraded instrumentation and controls; SCADA improvements; piping and valve system changes; and revised operational controls. The improvements will allow Lathrup Village to discharge its town outlet capacity during wet weather when the Evergreen Interceptor levels are elevated. A cost sharing agreement for the design and construction will be utilized on this project between Lathrup Village and the Evergreen Farmington Sanitary Drain.

Project Name: Evergreen Road Conveyance Project – Walnut Lake Pump Station #1 Corrective Action Plan

Owner: Evergreen-Farmington Sanitary Drain

Location: Evergreen Road 8 Mile to 14 Mile

Engineer of Record: Applied Science, Inc.

Engineer's Estimate of Construction Cost: \$2,900,000

Total Estimated Project Cost: \$5,480,000

Tentative Bid Date: January-February 2022

The project will increase Evergreen Interceptor operating levels and coordinated operations of facilities in the EFSDS and customer communities to avoid SSOs through certain modifications to Walnut Lake Pump Station #1 for continued operations during wet weather. This may include grade separation stations, sealed manholes, and other system improvements.

Below is a chart of the estimated cost for the respective Public Corporation.

Public Corporation	Peak Share			Total Estimated Cost
Auburn Hills	0.460%			334,420
Bingham Farms	0.690%			501,630
Bloomfield Hills	1.440%			1,046,880
Beverly Hills	5.750%			4,180,250
Birmingham	0.110%			79,970
Bloomfield Twp	9.540%			6,935,580
Farmington	0.340%			247,180
Farmington Hills	28.290%			20,566,830
Franklin	0.210%			152,670
Keego Harbor	0.320%			232,640
Lathrup Village	3.060%			2,224,620
Orchard Lake Village	0.370%			268,990
Southfield	38.170%			27,749,590
Troy	3.150%			2,290,050
West Bloomfield Twp	8.100%			5,888,700
Total	100.000%			72,700,000

EXHIBIT 7

FINAL ORDER OF APPORTIONMENT ASSESSMENT PERCENTAGES

City of Auburn Hills	0.46%
Village of Beverly Hills	5.75%
Village of Bingham Farms	0.69%
City of Birmingham	0.11%
Charter Township of Bloomfield	9.54%
City of Bloomfield Hills	1.44%
City of Farmington	0.34%
City of Farmington Hills	28.29%
Village of Franklin	0.21%
City of Keego Harbor	0.32%
City of Lathrup Village	3.06%
City of Orchard Lake Village	0.37%
City of Southfield	38.17%
City of Troy	3.15%
Charter Township of West Bloomfield	<u>8.10%</u>
	100%



500 West Big Beaver
Troy, MI 48084
troymi.gov

J-07

CITY COUNCIL AGENDA ITEM



Date: July 30, 2021

To: Mark F. Miller, City Manager

From: R. Brent Savidant, Community Development Director

Subject: APPLICATION TO DE-LIST 6071 LIVERNOIS

6071 Livernois is listed as a historic property in the City's Historic Preservation Ordinance (Chapter 13). Property owners the Jezierski family submitted an application to de-list the property so that the building can be more marketable for sale. Ye Olde Flower Barn presently sits on the property, which is zoned NN (Neighborhood Node "Q") Zoning District.

To de-list a property, City Council should make a finding that the subject property meets one or more of the following standards:

1. The historic district has lost those physical characteristics that enabled establishment of the district.

The City has no historic records on file for this property. The reasons for establishing the property as a historic property cannot be determined. The Historic District Study Committee determined that the property as it sits today is not historically significant.

2. The historic district was not significant in the way previously defined.

The reasons for establishing the property as a historic property cannot be determined. The Historic District Study Committee determined that the property as it sits today is not historically significant.

3. The historic district was established pursuant to defective procedures.

Based on the information available, it seems the property was listed simply because it was an older building. The age of a building does not make it historically significant. There were numerous renovations made to the building prior to listing that negatively affected its architectural and historic character.

On July 13, 2021 the Planning Commission recommended 9-0 that the property be de-listed. On July 19, 2021 the Historic District Study Committee recommended 3-0 that the property be de-listed.

City Council has final authority to approve the de-listing of 6071 Livernois.

Attachments:

1. Map
2. Minutes from July 19, 2021 Historic District Study Committee meeting
3. Minutes from July 13, 2021 Planning Commission Regular meeting
4. Final Report to De-List 6071 Livernois

**CITY OF TROY
AN ORDINANCE TO AMEND
CHAPTER 13 OF THE CODE
OF THE CITY OF TROY**

The City of Troy ordains:

Section 1. Short Title

This Ordinance shall be known and may be cited as an amendment to Chapter 13 – Historic Preservation of the Code of the City of Troy.

Section 2. Amendment

Section 3.A. of Chapter 13 – Historic Preservation is amended to eliminate the historic district located at 6071 Livernois. As amended, Section 3. A. of Chapter 13 shall read as follows:

(Strike through denotes the language to be eliminated)

3. REGULATION OF RESOURCES AND ESTABLISHED HISTORIC DISTRICTS

- A. There shall be no construction, alteration, repair, moving or demolition of the exterior features of a Historic Resource unless a certificate of appropriateness or a notice to proceed is issued in accordance with this chapter. The following Historic Districts are hereby established.

Troy Union Cemetery, 1199 E. Square Lake (Tax ID: 88-20-02-301- 009) T2N, R11E, SEC 2, PART OF SW ¼ OF SW ¼ BEG AT PT DIST S 89-44-00 E 750 FT FROM SW COR SEC 2, TH S 89-44-00 E 573.57 FT, TH N 00-24-30 W 446.10 FT, TH N 88-46-00 W 365.25 FT, TH S 40-53-00 W 133.60 FT, TH S 89-27-30 W 29.8 FT, TH S 14-06-00 W 360.89 FT TO BEG 4.66 A

6890 Norton (Tax ID: 88-20-03-226-033) T2N, R11E, SEC 3 PART OF NE ¼ BEG AT PT DIST S 01-15-30 E 809.30 FT & S 88-59-30 W 276.15 FT FROM N 1/8 COR, TH S 88-59-30 W 250 FT, TH N 01-35-15 W 136.63 FT, TH N 88-59-30 E 250 FT, TH S 01-35-15 E 136.63 FT TO BEG 0.78 A

770 W. Square Lake (Tax ID: 88-20-04-354-011) T2N, R11E, SEC 4 PART OF SW ¼ BEG AT PT DIST N 00-17-56 E 259.88 FT & S 89-45-00 E 160 FT & S 79-23-48 E 273.17 FT & S 69-02-36 E 300 FT & S 79-29-59 E 232.30 FT & S 89-57-22 E 136.66 FT FROM SW SEC COR, T N 00-12-04 E 226.40 FT, TH N 73-29-54 E 14.90 FT TH ALG CURVE TO RIGHT, RAD 60 FT, CHORD BEARS N 86-20-14 E 26.67 FT, DIST OF 26.89 FT, TH ALG CURVE TO LEFT, RAD 60 FT, CHORD BEARS N 74-27-32 E 50.18 FT, DIST OF 51.77 FT, TH S 40-15-30 E 40.45 FT, TH S 89-57-22 E 9.96 FT, TH S 00-06-01 W 215 FT, TH N 89-59-22 W 125.75 FT, TO BEG 0.67 A5-3-90 FR 008

330 W. Square Lake (Tax ID: 88-20-04-451-029) T2N, R11E, SEC 4 E 169.92 FT of W 856.08 FT OF S 300 FT OF SE ¼, EXC S 60 FT TAKEN FOR RD 0.941A 2-6-93 FR 025

6091 Livernois (Tax ID: 88-20-04-478-013) T2N, R11E, SEC 4 TROY ACRES S 70 FT OF LOT 1

~~**6071 Livernois** (Tax ID: 88-20-04-478-017) T2N, R11E, SEC 3, 4, 9, & 10 SUPERVISORS PLAT NO. 7 LOT 1 EXC E 27 FT TAKEN FOR RD 6-11-96 CORR~~

6059 Livernois (Tax ID: 88-20-04-478-018) T2N, R11E, SEC 3, 4, 9 & 10, SUPERVISOR'S PLAT NO. 7 LOT 2

90 West Square Lake (Tax ID: 88-20-04-478-022) T2N, R11E, SEC 4, TROY ACRES NO. 1 SLY 150 FT OF LOT 20 EXC BEG AT SW LOT COR, TH N 89-30-00 E 93 FT, TH N 41 FT, TH S 88-15-21 W 93.04 FT, TH S 38.98 FT TO BEG 6-13-96 CORR

Former Stone School, 3995 South Boulevard (Tax ID: 88-20-06-101-001) T2N, R11E, SEC 6 W 165 FT OF N 264 FT OF NW FRC $\frac{1}{4}$ EXC PART TAKEN FOR HWY DESC AS BEG AT NW SEC COR, TH ELY 91 FT ALG SEC LINE, TH SWLY TO PT IN W SEC LINE DIST OF 91 FT SLY FROM BEG, TH NLY 91 FT ALG SEC LINE TO BEG 0.90 A

Beach Road Cemetery (Tax ID: 88-20-07-451-001) T2N, R11E, SEC 7 N 147 FT OF 167 FT OF SW $\frac{1}{4}$ OF SE $\frac{1}{4}$ 0.57A 5875 Livernois (Tax ID: 88-20-09-232-005) T2N, R11E, SEC 3, 4, 9, & 10 SUPERVISORS PLAT NO. 7 LOT 13

46 East Square Lake Road (Tax ID: 88-20-10-101-002) T2N, R11E, SEC 3, 4, 9 & 10 SUPERVISORS PLAT NO. 7, PART OF LOT 26 BEG AT NW COR, T S 89-43-00 E 1.32 FT ALG N LOT LINE, TH S TO PT ON S LOT LINE 6 FT E OF SW LOT COR, TH S 89-15-00 W 6 FT ALG S LOT LINE, TH NLY 116.30 FT TO BEG, ALSO ALL OF LOT 27

54 East Square Lake Road (Tax ID: 88-20-10-101-003) T2N, R11E, SEC 3, 4, 9 & 10 SUPERVISORS PLAT NO. 7 LOT 26 EXC BEG AT NW LOT COR, TH S 89-43-00 E 1.32 FT ALG N LOT LINE, TH S TO PT ON S LOT LINE 6 FT E OF SW LOT COR, TH S 89-15-00 W 6 FT ALG S LOT LINE, TH NLY 116.30 FT ALG W LOT LINE TO BEG

90 East Square Lake Road and 110 East Square Lake Road (Tax ID 88-20-10-101-004) T2N, R11E, SEC 3, 4, 9, & 10 SUPERVISORS PLAT NO. 7 LOT 25

126 East Square Lake Road (Tax ID: 88-20-10-101-005) T2N, R11E, SEC 3, 4, 9, & 10 SUPERVISOR'S PLAT NO. 7 LOT 24

138 East Square Lake Road (Tax ID: 88-20-10-101-006) T2N, R11E, SEC 3, 4, 9, & 10 SUPERVISORS PLAT NO. 7 LOT 23

160 East Square Lake Road (Tax ID: 88-20-10-101-043) T2N, R11E, SEC 10 PART OF NW $\frac{1}{4}$ BEG AT PT DIST N 00-14-00 W 33 FT FROM NE COR OF LOT 23 OF 'SUPERVISOR'S PLAT NO 7', TH S 89-43-00 E 145 FT, TH S 00-14-00 E 300 FT, TH N 89-43-00 W 145 FT, TH N 00-14-00 W 300 FT TO BEG 1 A

101 East Square Lake Road (Tax ID: 88-20-03-301-077) T2N, R11E, SEC 3, SUPERVISOR'S PLAT NO. 7 E 30 FT OF LOT 20 EXC S 41 FT TAKEN FOR RD, ALSO LOT 21 EXC S 41 FT TAKEN FOR RD, ALSO N 73.43 FT OF LOT 22

Sylvan Glen Clubhouse, 5725 Rochester Road (Tax ID: 88-20-10- 200-001) T2N, R11E, SEC 10 NE /4 160 A

5871 Hilmore (Tax ID: 88-20-11-103-014) T2N, R11E, SEC 11 PART OF NW ¼ BEG AT PT DIST S 01-33-00 E 833 FT FROM NE COR OF W ½ OF NW ¼, TH S 88-55-00 W 330 FT, TH S 01-33-00 E 200 FT, TH N 88-55-00 E 330 FT, TH N 01-33-00 W 200 FT TO BEG 1.55 A

Hill House, 4320 John R (Tax ID: 88-20-13-303-014) T2N, R11E, SEC 13 PART OF SW ¼ BEG AT PT DIST N 00-49-43 E 1544.71 FT FROM SW SEC COR, TH S 89-10-17 E 220 FT, TH N 00-49-43 E 200 FT, TH N 89-10-17 W 220 FT, TH S 00-49-43 W 200 FT TO BEG EXC W 50 FT TAKEN FOR RD 0.77 A

Emerson Church – Unitarian Universalist, 4320 Livernois (Tax ID: 88-20-15-351-002) T2N, R11E, SEC 15 & 16 MC CORMICK & LAWRENCE LITTLE FARMS SUB LOTS 46 & 47 EXC W 27 FT TAKEN FOR RD, ALSO ALL OF LOT 48, ALSO W 85.58 FT OF LOT 49

Troy Museum & Historic Village - Caswell House, Poppleton School, Old City Hall, Old Troy Church and Parsonage, Log Cabin and Wagon, Shop 60 W. Wattles (Tax ID: 88-20-16-478-033) T2N, R11E, SEC 16 LAKEWOOD SUB LOT 89 TO 92 INCL, ALSO LOTS 131 TO 134 INCL EXC S 27 FT TAKEN FOR RD, ALSO N 30.75 FT OF LOT 138, ALSO LOTS 139 TO 142 INCL, EXC E 27 FT TAKEN FOR LIVERNOIS RD, and 100 W WATTLES (Tax ID 88-20-16-478-027) T2N, R11E, SEC 16 LAKEWOOD SUB LOT 130 EXC S 20 FT TAKEN FOR WATTLES RD., and 109 LANGE (Tax ID: 88-20-16-478-026) T2N, R11E, SEC 16 LAKEWOOD SUB LOT 93

Crooks Road Cemetery (Tax ID: 88-20-20-226-022) T2N, R11E, SEC 20 PART OF NE ¼ BEG AT PT DIST N 00-43-30 E 1101.84 FT FROM E ¼ COR, TH N 88-08-30 W 310.03 FT, TH ALG CURVE TO RIGHT, RAD 100 FT, CHORD BEARS N 43-08-30 W 141.42 FT, DIST OF 157.08 FT, TH N 01-51-30 E 180 FT, TH ALONG CURVE TO LEFT, RAD 180 FT, CHORD BEARS N 43-08-30 W 254.56 FT, DIST OF 282.74 FT, TH N 01-51-30 E 179.31 FT, TH S 87-06-30 E 577.09 FT, TH S 00-43-30 E 629.54 FT TO BEG 6.71 A

3864 Livernois (Part of Tax ID: 88-20-22-101-005) Part of the NW ¼ of Sec 22, T.2N R11E, City of Troy, Oakland County, Michigan beginning at the point which is N 00°20'25" E 1771.60 ft. along the West line of Sec. 22 from the West ¼ corner of Sec 22, T2N R11E; thence, continuing along the West line of Sec. 22 N 00°20'25" E 330.00 ft.; thence S 89°25'55" E 225.00 ft.; thence S 00° 20'25" W 330.00 ft.; thence N 89°25'55" W 225 ft. to the point of beginning. Containing 74,247 square feet – 1.705 acres, and subject to an easement over the North 30 ft. for ingress and egress and public utilities.

36551 Dequindre (Tax ID: 88-20-25-230-032) T2N, R11E, SEC 25 PART OF NW ¼ BEG AT PT DIST S 00-00-08 E 1028.22 FT & S 89-23-59 W 60 FT FROM NE SEC COR, TH S 00-00-08 E 300 FT, TH S 89-23-59 W 245 FT, TH N 00-00-08 W 300 FT, TH N 89-23-59 E 245 FT TO BEG 1.69 A

1934 Livernois (Tax ID: 88-20-27-351-016) T2N, R11E, SEC 27 ADDISON HEIGHTS
SUB N 81 FT OF W 108 FT OF LOT 53

Perrin Cemetery (Coolidge) (Tax ID: 88-20-32-152-002) T2N, R11E, SEC 32 PART
OF W ½ BEG AT W ¼ COR, TH N 00-03-00 E 165 FT, TH E 140 FT, TH S 00-03-00 W
165 FT, TH S 88-44-30 E 25 FT, TH S 01-06-30 W 67.5 FT, TH N 88-31-00 W 165 FT,
TH N 00-03-00 E 66 FT TO BEG 0.78

- B. Except as provided in subsection C, all of the Historic Districts established as of July 21, 2003 shall be exempt from the requirements and provisions of Section 14 of this Chapter entitled "Establishment, Modification or Elimination of a Historic District". Such exempt Historic Districts shall not be within the purview of any Historic District Study Committee and shall remain under the sole jurisdiction of the Historic District Commission, except to the extent otherwise provided in Section 5 of this Chapter for the Historic Districts included in the Troy Museum and Historic Village.
- C. A person or entity that owns a resource within an Historic District established as of July 21, 2003, may submit a request to the Commission to modify or eliminate such Historic District. In such cases, the Historic District may only be eliminated or modified in accordance with Section 14.

Section 3. Savings

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this Ordinance takes effect are hereby saved. Such proceedings may be consummated under and according to the ordinance in force at the time such proceedings were commenced. This ordinance shall not be construed to alter, affect, or abate any pending prosecution, or prevent prosecution hereafter instituted under any ordinance specifically or impliedly repealed or amended by this ordinance adopting this regulation, for offenses committed prior to the effective date of this ordinance; and new prosecutions may be instituted and all prosecutions pending at the effective date of this ordinance may be continued, for offenses committed prior to the effective date of this ordinance, under and in accordance with the provisions of any ordinance in force at the time of the commission of such offense.

Section 4. Severability Clause

Should any word, phrase, sentence, paragraph or section of this Ordinance be held invalid or unconstitutional, the remaining provision of this ordinance shall remain in full force and effect.

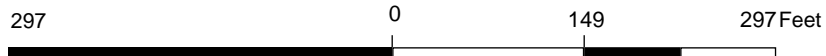
Section 5. Effective Date

This Ordinance shall become effective ten (10) days from the date hereof or upon publication, whichever shall later occur.

This Ordinance is enacted by the Council of the City of Troy, Oakland County, Michigan, at a regular meeting of the City Council held at City Hall, 500 W. Big Beaver, Troy, MI, on the Ninth day of August, 2021.

Ethan Baker, Mayor

M. Aileen Dickson, MMC
City Clerk



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.

The Historic District Study Committee meeting began at 5:02 pm p.m. on July 19, 2021, in Niles-Barnard House, Troy Historic Village.

1. ROLL CALL

Present:

Barb Chambers
Timothy McGee
Kent Voigt

Also Present:

R. Brent Savidant, Community Development Director
Jackie Ferencz, Admin Assistant, Planning Department
Lee Johnson, Attorney representing the Jezierski family, home owners

2. APPROVAL OF AGENDA

Moved by: Voigt
Seconded by: McGee

RESOLVED, To approve the Agenda as prepared.

Yes: All present (3)

MOTION CARRIED

3. APPROVAL OF MINUTES

Moved by: McGee
Seconded by: Voigt

RESOLVED, To approve minutes of February 25, 2021, as presented.

Yes: All present (3)

MOTION CARRIED

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

Mr. Savidant presented the Final Report.

General discussion followed.

The Chair opened the public hearing.

The integrity of the property is non-compliant to historical resource standards and the historic character has been eliminated. For this reason the Committee supports de-listing.

Moved by: Chambers
Seconded by: McGee

RESOLVED, The Historic District Study Committee hereby approves the Final Report to De-List 6071 Livernois, Ye Olde Flower Barn.

BE IT FINALLY RESOLVED, The Historic District Study Committee hereby recommends that City Council takes action to de-list 6071 Livernois, Ye Olde Flower Barn.

Moved by: McGee
Seconded by: Chambers

Yes: All present (3)

MOTION CARRIED

5. PUBLIC COMMENT

Mr. Johnson expressed his thanks to the Board.

Chairperson Chambers adjourned the meeting at 5:30 pm

G:\Historic District Study Committee\6071 Livernois\Minutes\HDSC Minutes 2021 07 19 Draft.docx

8. APPLICATION TO DE-LIST 6071 LIVERNOIS – Preliminary Report

Mr. Savidant presented the application request to de-list the property located at 6071 Livernois from Chapter 13 Historic Preservation. He said this property is also known as Ye Olde Flower Barn. Mr. Savidant addressed the lengthy process to consider an application to de-list an historic property. He referenced the recommendation of the Historic District Study Committee and its Preliminary Report and review comments from the State Historic Preservation Review Board and Michigan Historical Commission. Mr. Savidant reported that there are no files on record at the City or State level and that it is unclear why the property was designated as “historic” under the provisions of Chapter 13 Historic Preservation. He reported that the Barn Preservation Network states there is probably little historic value.

Mr. Savidant said the Planning Department supports the recommendation to de-list the property. He said the Planning Commission could pass a resolution in support of the de-listing, but no action is required by the Planning Commission.

Jeff Jezierski, owner of the property, addressed the family history of the buildings, the flower business of over 40 years, the financial burdens on the family and various renovations to the buildings that he shared changed the configuration of the original structure. He asked the Board’s support to de-list the property.

Lee Johnson, real estate representative, family friend and former employee of the Ye Olde Flower Barn, addressed renovation restrictions placed by Chapter 13 on historic homes; simply changing paint color requires approval by the Historic Commission. He addressed how originally homes were listed on the historic list. Mr. Johnson asked for the Planning Commission support in de-listing the property.

There was discussion on:

- Benefits, if any, of homes listed as historic.
- Comments of Barn Preservation Network.
- Procedure to de-list historic property from Chapter 13.
- Trend of de-listing historic designation(s) on adjacent property.
- Troy Historic Village has no interest in retaining any portion(s) of historic barn.

Resolution # PC-2021-07-051

Moved by: Lambert
Support by: Hutson

RESOLVED, To recommend the de-listing of the property that used to be known as the Ye Olde Flower Barn.

Yes: All present (9)

MOTION CARRIED

FINAL REPORT

HISTORIC DISTRICT STUDY COMMITTEE
APPLICATION TO DE-LIST 6071 LIVERNOIS, TROY MI
YE OLDE FLOWER BARN

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

RESEARCH OF PROPERTY HISTORY

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). Johnson Niles passed away in 1872. 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).
- 1905 House constructed.
- 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).

HISTORIC SIGNIFICANCE

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 from the Troy Historic Village 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.

Barn Preservation Network

Jen Peters 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. This verifies the comment by Jeff Jezierski who stated the beams were purchased at an estate sale and added to the barn for aesthetic reasons.

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.

Renovations to House and Barn

According to Jeff Jezierski, son of Fred and Jeannine Jezierski, the family made a number of significant renovations to the house and barn prior to the property being listed. The following is a summary of the renovations, as described by Jeff Jezierski:

- In 1969 or 1970, the family redid 12' - 18" footings under the barn perimeter to 42" footings by hand every 4 feet. They poured cement, waited for curing then did the remainder. They extended the back of barn 16' x 20', two stories high for a lower design room and upper inventory storage.
- The beams on the first floor entrance were bought and hauled and installed from an old barn estate sale in (he believed) West Bloomfield.
- The screened in porch on the southwest corner of the house was converted into a 10' x 12' full kitchen.
- In the early 2000s the family constructed a 2 story silo closet spaces on north side of house.
- The painted wood siding on house was replaced with colored fiberboard and a new roof was added to both the barn and house.
- The upstairs west side attic that had featured telegraph and wiring was converted into a full bathroom with tub/ shower and double sink.

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 home at the front (south) 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.

SUMMARY

It is unclear why the property was deemed to be historically significant and was designated as "historic" under the provisions of Chapter 13 Historic Preservation. The Historic District Study Committee supports and recommends the delisting of 6071 from 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.

APPENDIX D

Minutes from February 25, 2021 Historic District Study Committee meeting.

APPENDIX E

Report from State Historic Preservation Office.

STATE HISTORIC PRESERVATION OFFICE

Delist 6071 Livernois (Ye Old Flower Barn) Troy, MI Staff Comments, April 27, 2021

The Introduction on page 3 seems to be incomplete. It stops just where the justification is to appear.

Regarding the elimination of a local historic district, Section 399.214 of Public Act 169 of 1970 states:

(2) If considering elimination of a historic district, a committee shall follow the procedures set forth in section 3 for issuing a preliminary report, holding a public hearing, and issuing a final report but with the intent of showing 1 or more of the following:

- (i) The historic district has lost those physical characteristics that enabled establishment of the district.*
- (ii) The historic district was not significant in the way previously defined.*
- (iii) The historic district was established pursuant to defective procedures.*

Based on the photograph, the house is a representative example of a late 19th Century cross-gabled, Victorian farm house. It has a jerkinhead or clipped roof that, though not rare, is uncommon on a vernacular house of this style in Michigan. The property still appears to retain most of the physical characteristics that originally defined it. The report does not make the case that the house no longer meets criteria 2(i) in PA 169 as noted above. The report should include a more detailed list of changes to the property, the approximate period they occurred, and an analysis of how the changes affected its historic integrity.

Staff consulted the SHPO's local historic district files. Though SHPO is not the office of record, our files do contain a letter dated July 7, 1987 to Dorothy Scott from then SHPO Preservation Coordinator Janet Kreger, stating that the SHPO has "the historic district study committee reports for the following districts" and lists "Troy Corners (14 buildings)." The historic district ordinance attached to the letter contains a list of Troy's historic districts dated July 27, 1981. The list includes 6071 Livernois. Specific addresses in the list are grouped by penciled lines with a handwritten label, "Troy Corners Hist. Dist." Any claim that the district was established by defective procedure (2(iii) above) would need to be documented since it appears that a study committee report was submitted and received by the SHPO and the historic district ordinance was approved by city council.

The report does not put forth a case that the district is not significant in the way previously defined, requirement 2 (ii) above. The house looks like it was probably built between 1872 and 1896 when it was owned by George H. Niles, the son of Troy's founder Johnson Niles. According to the study committee report there are, "very few surviving homes from that era in Troy." Because the city's records regarding the history and establishment of this district cannot be found, our recommendation would be to have the study committee research the history of Troy Corners to determine the significance property. County deed research may turn up more information that would "provide specific dates and additional land owner information," as noted in the report. The relationship of this property to Troy's founder Johnson Niles, a former Michigan State Senator who died in 1872, and/or his son George, should be clarified so that the significance of the resource can be properly evaluated. SHPO staff found the following information on-line in *The Account of the 11th Gathering of the Bailey-Bayley Family Association* held in Boston on June 2, 1906, p. 40. Other pioneer accounts are probably available. It sounds as if this house and property could be significant in the pioneer history of the founding of Troy.

and others, John T. Henson, Andrew Green, and James Sams-
more. At what is now Troy Corners lived Johnson Niles, a
very peculiar, eccentric, and go-ahead pioneer, whose name is
familiar to the early settlers of Oakland County. Mr. Niles set-
tled in Troy at an early day, and was an influential man, and
gave a willing, helping hand to the settlers when beginning in
the wilderness. He was a zealous politician, and a Democrat of
the Old Hickory school, and usually was a delegate to the Dem-
ocratic county conventions held at Pontiac, where were also
such men as William Popleton, Oren Popleton, Alfred Hans-

In summary, the report does not include the documentation needed to determine that the house has lost its historic physical characteristics, is no longer historically significant as previously defined, or that the local historic district was established by inappropriate procedure.



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J-08

CITY COUNCIL AGENDA ITEM

Date: July 26, 2021

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
William J. Huotari, City Engineer/Traffic Engineer

Subject: Traffic Committee Recommendations and Minutes – July 21, 2021

At the Traffic Committee meeting of July 21, 2021, the following recommendations were made for City Council approval:

4. Request for Traffic Control – Wyngate Drive at Country Ridge Drive

RESOLVED, that the intersection of Wyngate Drive at Country Ridge Drive be **MODIFIED** from no traffic control to **ADD STOP** signs on the Country Ridge Drive approaches to the intersection.

Minutes of the meeting are attached.



GIS Online

Legend:

Road Centerline Text



Notes:

Map Scale: 1=504

Created: June 28, 2021



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.

A regular meeting of the Troy Traffic Committee was held Wednesday, July 21, 2021 in the Council Boardroom at Troy City Hall. Pete Ziegenfelder called the meeting to order at 7:31 p.m.

1. Roll Call

Present: Richard Kilmer
Cindy Nurak
Al Petrulis
Abi Swaminathan
Cynthia Wilsher
Pete Ziegenfelder
Alankar Shende, Student Representative

Absent: Sunil Sivaraman

Also present: Jonathan Aronson, 2137 Red Maple
Sandeep Sood, 6385 County Ridge
Harish Mistry, 6403 County Ridge
Rajiv Mangal, 6402 County Ridge
Chengyu Gu, 6384 County Ridge
Sgt. Justin Novak, Police Department
Lt. Eric Caloia, Fire Department
Bill Huotari, City Engineer/Traffic Engineer

2. Minutes – March 17, 2021

Resolution # 2021-07-13
Moved by Kilmer
Seconded by Nurak

To approve the March 17, 2021 minutes as printed.

Yes: Kilmer, Nurak, Swaminathan, Petrulis, Wilsher, Ziegenfelder
No: None
Absent: Sivaraman

MOTION CARRIED**PUBLIC HEARINGS****3. Request for Sidewalk Waiver – 195 McKinley (Sidwell # 88-20-09-426-029)**

Jonathan Aronson of 2137 Red Maple Drive requests a sidewalk waiver for the sidewalk at 195 McKinley (Sidwell # 88-20-09-426-029). Mr. Aronson states:

- a. There are no other sidewalks in the subdivision. This would be the only sidewalk and property on both sides as well as across the street have no sidewalks. A sidewalk*

- would literally be a sidewalk to nowhere.*
- b. There are several new construction homes in the subdivision and none of them have sidewalks.*
 - c. The builder has quoted a cost of \$10,000 to \$15,000 to install the sidewalk, including having to put in a second catch basin because of the sidewalk.*
 - d. We are building this ranch as an “age in place” home for ourselves and adding the burden of clearing a sidewalk (that no one will use) increases the difficulty of continuing to live independently.*

The Department of Public Works (DPW) recommends approving the waiver request and not requiring the installation of sidewalk “*Due to the lack of sidewalk on the surrounding parcels and the open drainage ditches of the area*”, subject to the submission of a cash deposit for future construction to assure consent and participation in any future sidewalk installation.

Jonathan Aronson of 2137 Red Maple Drive was present at the meeting. Mr. Aronson stated that they were downsizing and building a ranch to move into. There is no other sidewalk in the area and this would be 100 feet of sidewalk to nowhere. They would be the only house in the neighborhood with sidewalk.

There was discussion amongst the Traffic Committee members about whether to require a cash deposit or not as members believed that sidewalk would not be installed in this area anytime in the near future, if ever. The area was built without sidewalks and there would be practical difficulties in installing sidewalk in this built out area.

Resolution # 2021-07-14

Moved by Kilmer

Seconded by Wilsher

WHEREAS, City of Troy Ordinances, Chapter 34, allows the Traffic Committee to grant waivers of the City of Troy Design Standards for Sidewalks upon a demonstration of necessity; and

WHEREAS, Jonathan Aronson has requested a waiver of the requirement to construct sidewalk based on lack of sidewalk on surrounding parcels; and

WHEREAS, the Traffic Committee has determined the following:

- a. A waiver will not impair the public health, safety or general welfare of the inhabitants of the City and will not unreasonably diminish or impair established property values within the surrounding area, and
- b. A strict application of the requirements to construct a sidewalk would result in practical difficulties to, or undue hardship upon, the owners, and
- c. The construction of a new sidewalk would lead nowhere and connect to no other walk, and thus will not serve the purpose of a pedestrian travel-way.

NOW THEREFORE, BE IT RESOLVED, that the Traffic Committee **GRANTS** a waiver of the sidewalk requirement for 195 McKinley (Sidwell # 88-20-09-426-029) with no contingencies attached.

Yes: Kilmer, Nurak, Swaminathan, Petrulis, Wilsher, Ziegenfelder
No: None
Absent: Sivaraman

MOTION CARRIED

REGULAR BUSINESS

4. Request for Traffic Control – Wyngate Drive at Country Ridge Drive

The Wyngate of Troy Homeowner's Association states that the lack of traffic control signs at the intersection of Wyngate Drive at Country Ridge Dive creates a hazardous condition.

Chengyu Gu of 6384 County Ridge and representing the HOA, provided written comments that he read at the meeting as follows:

Dear board members,

My name is Charles Gu, Troy resident since 1999. Thanks for the City Traffic Committee to give me a chance as Wyngate of Troy Homeowner Association board secretary presenting our request for a traffic control at the intersection of Wyngate Drive and Country Ridge Drive. On our last HOA member annual meeting, many members requested our board to contact City for adding traffic sign at Wyngate Drive/Country Ridge Drive intersection.

There have been several unreported crash accidents and many near misses occurred last few years at the intersection, mostly in the rush hours. Our neighborhood includes more than 80 families in-and-out through the 4-way intersection without traffic sign. Though we have not heard any fatal accident yet, neighborhood raised more and more concerns and urged us to forward the request to the city to add traffic signs at the intersection to prevent unfortunate event in the future.

After received our request, Bill has done a lot of studies and informed us a recommendation of adding Yield signs on the Country Ridge Drive approaches to the intersection. We agree. This definitely will be a good step toward improving our neighborhood safety.

Additional concern from some of our members is: vehicles from outside coming into the subdivision will see the 25 Mile/Hour speed limit sign and slow down before approaching the intersection, but more frequently vehicles from the inside of the intersection on Wyngate Drive are still too fast. We worry about that once the Yield signs are added on Country Ridge Drive, we might see more westbound vehicles speed up to pass the intersection instead of slow down. Is it possible to add one more sign face to the eastside of Wyngate to remind/alert west bound vehicle drivers to slow down and watch the intersection traffic?

We would like to hear from experts and the Traffic Committee Meeting decision.

Thank you.

Chengyu (Charles) Gu
Wyngate HOA Secretary
wyngateoftroyboard@googlegroups.com

Rajiv Mangal of 6402 County Ridge stated that he has lived in this subdivision for over 15 years. He has witnessed many near misses at the intersection. There are many small children that live and play in this area. He would prefer Stop signs over Yield signs.

Harish Mistry of 6403 County Ridge stated that he has also witnessed many rear accidents and that there have been other actual crashes that were not reported. He reiterated that there are a lot of children near the intersection. He is OK with Yield signs but would prefer to have All-Way Stop control at the intersection.

Sgt. Novak discussed how close the intersection is to Coolidge Road and the difficulties and confusion that may be caused if Stop signs were installed on the Wyngate Drive approaches. He supports Stop signs on the Country Ridge Drive approaches only.

Ms. Nurak would also prefer Stop signs.

Mr. Kilmer noted that the road curves as you approach the intersection and that there should be Stop signs.

Mr. Petrulis agreed and added that the intersection comes up on you quickly.

Resolution # 2021-07-15
Moved by Petrulis
Seconded by Kilmer

RESOLVED, that the intersection of Wyngate Drive at Country Ridge Drive be **MODIFIED** from no traffic control to **ADD STOP** signs on the Country Ridge Drive approaches to the intersection.

Yes: Kilmer, Nurak, Swaminathan, Petrulis, Wilsher, Ziegenfelder
No: None
Absent: Sivaraman

MOTION CARRIED

5. Public Comment

There was no further public comment at the meeting.

6. Other Business

Abi Swaminathan introduced herself to the Traffic Committee members.

A discussion of what the Traffic Committee and its members roles are ensued.

Ms. Wilsher discussed concerns about the Speedway at Maple Road and Rochester Road relative to tall weeds that obstruct vision for turning traffic from the site. The vegetation is on private property so Traffic Engineering will refer the concern to Code Enforcement.

Mr. Kilmer requested that all Traffic Committee members go out to Firefighter's Park in the evening to review park activity. He would like to discuss options for the park to help with pedestrian and vehicular traffic once members have had the opportunity to visit the park.

Lt. Caloia announced that this would be his last meeting. He is retiring on September 2.

13. Adjourn

The meeting adjourned at 8:11 p.m.

Pete Ziegenfelder, Chairperson

William J. Huotari, City Engineer/Traffic Engineer

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M-02a

CITY COUNCIL REPORT

Date: July 29, 2021

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
Kurt Bovensiepe, Public Works Director
Brian Goul, Recreation Director
Ashely Levin, Project Manager

Subject: Town Center Parking Lot Naming Solicitation Report

The City of Troy is seeking name suggestions for the new Town Center Public Space that is expected to open in Fall of 2021. The site is currently under construction and will be the future home of many community events such as the Troy Farmers Market, large events, park programs, concerts and outdoor movies. The space will include asphalt walkways, on-site parking, lighting for evening events, and grassy areas which will offer a wide range of programming opportunities.

City staff has created a webpage and online form to solicit name suggestions. The form will be active and accepting name submissions until September 1, 2021. Once the deadline for submissions has passed, City Staff will compile all suggestions and present the list to the Parks and Recreation Advisory Board for review and recommendation. The recommendation will be presented to City Council for approval this fall.

The policy for naming public parks and amenities is included below.

POLICY FOR NAMING PUBLIC PARKS AND PUBLIC AMENITIES

The following criteria is established for proposed names of parks or amenities:

1. Parks can be named for any of the following: a person or family, a group or organization, the function of the park or facility, neighborhood, location or other appropriate name.
2. All Troy Parks should ultimately be named. The City Council of the City of Troy reserves unto itself the authority and responsibility of naming public places including, but not limited to, public grounds and buildings.
3. Park names are permanent and shall not be changed unless the name is deemed inappropriate or reflects poorly on the image of the City.
4. Parks shall carry the name of the original property owner, if such was specified in the



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CITY COUNCIL REPORT

deed or purchase agreement or is a condition of the donation of property.

5. Naming a park after a group or organization may be considered if that group contributes 60% or more of the cost of development or improvement of that park. This minimum 60% contribution can also be satisfied by a group or organization's future significant and binding commitment to the future improvement of the park and/or the Troy community.
6. A park can be named for an individual or family that has made significant contributions to the community or to the development of the park.
7. Parks may be named for the neighborhood, abutting streets, schools or other well-known landmark.
8. Names featuring, representing, or including alcohol or tobacco products, or other places or products deemed unsuitable shall be rejected.

PROCEDURE FOR NAMING PARKS AND PUBLIC AMENITIES

The City of Troy City Manager or his/her designee will publicly post a notification for Troy residents that there is a need to name a park or amenity. This notification should reach as many Troy citizens as possible and be made through multiple forms of communication. A special effort should be made to notify those neighborhoods or persons that would most likely use the park or facility. The notification shall set a deadline for the submission of proposed names for parks and other facilities.

Persons or groups recommending a park or amenity name shall follow this procedure:

1. Submit a letter to the City of Troy City Manager or his/her designee, outlining the recommendation and justification.
 - a. If the name proposed is for an individual, any or all of the following should be submitted: a biographical sketch, proof of significant contribution to Parks and Recreation or the Troy community, photo journal of family, projects, community contributions, awards, media articles, testimonial letters, etc. Parks may be named after a person when such person has made an outstanding, generally recognized contribution to the community.
 - b. Organizations/ Groups recommending a park name must submit excerpts of organization's minutes approving the request and a guarantee that they would contribute at least 60% of the park development or maintenance costs. Recommendations for park or public facility to be named after a group or organization must be accompanied by background information on the organization, its affiliation with the community, its contributions to the community and supporting evidence including but not limited to its charter.



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- c. Any resident can recommend a proposed name based on the neighborhood, landmark, streets, school, etc., and this recommendation should be in writing with the reasons the name is appropriate.

The City Council shall follow the procedure below:

1. After the deadline for nominations, the City Manager or his/her designee shall transmit all of the information that was timely submitted to the Parks and Recreation Advisory Board, and shall also make the information available to the general public.
2. The Parks and Recreation Advisory Board shall hold a public hearing, and based on the input received, shall make a recommendation for a park or amenity name to the Troy City Council, and shall detail the justification for the recommendation.
3. After the receipt of this recommendation, the City Manager or his/her designee will include the naming of the park or amenity as a regular business item on a subsequent City Council agenda, and will make all documentation received in the process available for public viewing and commentary.
4. Once presented with the regular business item, the City Council is responsible for making the final decision on the name for the park or amenity. City Council may approve the recommendation of the Parks and Recreation Advisory Board, or approve a new name for the park or amenity, or refer the matter back to the Parks and Recreation Advisory Board, or take any other action.
5. All records, documents, photographs and papers emanating from this process shall be forever retained in the records of the City of Troy and its archives.

Park Amenities

An amenity within an existing park may be named after an individual, group or organization. Any request of this type shall be initially submitted to the Parks and Recreation Advisory Board. The board will review the proposal to determine if the proposed facility conforms to the master park plan, and forward the request, with any recommendations, to the Troy City Council. The Board may also recommend a sponsorship or donation program to assist in the funding of the development of the park or public amenities. Any such recommendation should be forwarded to the Troy City Council for final approval. Once such a sponsorship or donation program is approved, then the City Manager or his or her designee can allow for the naming of the amenities in accordance with the approved policy.

Where an amenity is named after a living person, that person must remain a citizen in good standing for the name to remain.



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The names will be reviewed by the Parks and Recreation Advisory Board after five years. As long as the effort and contribution of the group and the conditions of the amenity are satisfactory, the name will remain. If the conditions have changed, then the matter shall be referred to the Troy City Council, to provide the individual or organization with a due process hearing before the name will be removed.

Any amenity/facility donated by a group, organization or individual may have a recognition sign, funded by the group/organization. All signs must conform to the City of Troy's sign ordinance. The City Manager or his/her designee will approve signage location, size and type, etc.

Signs or plaques or other advertising featuring, representing, or including alcohol or tobacco products, or other places or products deemed unsuitable shall be rejected.

Beth L Tashnick

Subject: Kudos for your staff

From: MOHR, NORMAN W

Sent: Tuesday, July 27, 2021 4:41 PM

To: Renee Hazen

Subject: Kudos for your staff



Renee

My name is Norman Mohr and I am a tax accountant for AT&T Mobility. I am responsible for paying the property tax bills for my company for the entire state of MI. I just wanted to let you know that I had a minor issue with the City of Flint [Troy] concerning our property tax bills. Your employee Eileen Culver was of great help in this matter. She was professional and yet pleasant on the phone. She was able to quickly solve my problem. Since I communicate with employees all over Michigan I run into a lot of not so kind treasury workers in different cities. It was a pleasant surprise to have someone like Eileen work with me.

Thank you for your departments efforts.

Regards

Norman Mohr
Tax Accountant

There are two ways you can be in this world; you can be ever so smart or ever so pleasant. I've tried smart, I prefer pleasant.....Elwood P Dowd