

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, August 30, 2021, at City Hall, 500 W. Big Beaver Rd. Mayor Baker called the meeting to order at 7:31 PM.

B. ROLL CALL:

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

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 Legislative Update (*Presented by: Representative Padma Kuppa*)

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 No Public Hearings

F. PUBLIC COMMENT:

Ryan Johnson	Commented in opposition to the Oakland County mask mandate for schools
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There was a consensus of City Council to allow an additional 1 minute of time for Mr. Johnson to complete his comments.

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

Mayor Baker	Commented that the school district is a separate entity from the City of Troy; and the employees are not City of Troy employees
City Attorney Bluhm	Commented that the Health Department is a County department and are also not City employees

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 – None; b) City Council Nominations – None

a) Mayoral Nominations: None

b) City Council Nominations: None

I-3 Request for Closed Session

Resolution #2021-08-123

Moved by Baker

Seconded by Hodorek

BE IT RESOLVED, That Troy City Council **SHALL MEET** in Closed Session, as permitted by MCL 15.268 (e) (Jack B. Wolfe v. Troy) and (h)(MCL 15.243(g)).

Yes: All-7

No: None

MOTION CARRIED

I-4 Bid Waiver – Emergency Vehicle Preemption - Opticom GPS System (*Introduced by: Chuck Riesterer, Fire Chief*)

Resolution #2021-08-124

Moved by Abraham

Seconded by Erickson Gault

RESOLVED, That in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **APPROVES** a contract for the purchase of the Opticom GPS System Equipment from the sole authorized dealer *Carrier & Gable, Inc. of Farmington Hills, MI*, for an estimated total cost of \$281,342 as detailed in quote #36568.

Yes: All-7

No: None

MOTION CARRIED

I-5 Bid Waiver – Bauer Breathing Air Compressor Purchase – Fire Department
(Introduced by: Chuck Riesterer, Fire Chief)

Resolution #2021-08-125

Moved by Erickson Gault

Seconded by Hamilton

RESOLVED, That in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **AWARDS** a contract to the only authorized distributor for Bauer compressors in Michigan, *Breathing Air Systems of Reynoldsburg, OH*, for the purchase and installation of a Bauer air compressor and fill station at Fire Station 6 for an estimated total cost of \$34,438.84.

Yes: All-7

No: None

MOTION CARRIED

I-6 Request to Retain Miller Canfield for Tax Issues (Introduced by: Lori Grigg Bluhm, City Attorney)

Resolution #2021-08-126

Moved by Hodorek

Seconded by Chamberlain-Creanga

RESOLVED, That Troy City Council **DETERMINES** that the public interest will be best served by continuing the engagement of Miller Canfield attorneys Gary R. Glenn, at \$600 per hour, and Samantha A. Kopacz, at \$470 per hour, plus costs, to assist the City with tax analysis and strategy recommendations for future action by the Troy City Council, and due to unanticipated developments, the total cost of the engagement will exceed the \$10,000 purchasing threshold.

BE IT FURTHER RESOLVED, That the City Attorney **WILL SERVE** as the City liaison, so that the attorney work product is protected from disclosure until such time as the proposed recommendations are presented to the Troy City Council for future action.

Yes: All-7

No: None

MOTION CARRIED

I-7 Budget Amendment and Standard Purchasing Resolution 4: H-GAC Cooperative Purchase – Storm Water Global Pump (Introduced by: Scott Carruthers, Streets and Drains Operations Manager)

Resolution #2021-08-127

Moved by Brooks

Seconded by Hodorek

RESOLVED, That the Troy City Council hereby **AWARDS** a contract to *Mersino Dewatering Inc. dba Global Pump of Davison, MI*, for the purchase of one (1) 6GST Global Standard Trash

Pump for an estimated total cost of \$50,810.37 at prices detailed in the quote and as per the H-GAC Purchasing Cooperative Contract #CMO2-21.

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** a budget amendment in the amount of \$50,900 to the Streets General Equipment Capital Fund.

Yes: All-7
No: None

MOTION CARRIED

I-8 Budget Amendment and Standard Purchasing Resolution 2: Low Bidder Meeting Specifications – Trails and Pathway Paving - Phase 3 Jaycee Park, and Standard Purchasing Resolution 5: Approval to Expend Budgeted Funds – Trails and Pathway – Construction Management (Introduced by: Kurt Bovensiep, Public Works Director)

Resolution #2021-08-128
Moved by Baker
Seconded by Chamberlain-Creanga

RESOLVED, That Troy City Council hereby **AWARDS** a contract to install the third phase of the Troy Trail in Jaycee Park to the low bidder meeting specification; *WCI Contractors, Inc. of Detroit, MI*, at unit prices contained in the bid tabulation opened August 12, 2021, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with an estimated total cost of \$856,561 and a 15% contingency not to exceed amount of \$128,484.15.

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** expending budgeted capital funds to *Anderson, Eckstein, and Westrick, Inc. (AEW) of Shelby Township, MI*, for the construction management of a trail and pathway at Jaycee Park for an estimated total cost of \$97,301 not to exceed budgetary limitations.

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** a budget amendment in the amount of \$332,400 to the Park Development- Land Improvements Trails and Pathways Capital Fund.

BE IT FINALLY RESOLVED, That the awards are **CONTINGENT** upon the contractors' submission of properly executed bid documents, insurance certificates and all other specified requirements.

Yes: All-7
No: None

MOTION CARRIED

I-9 Budget Amendment – Town Center Open Space Roll-Over Funds From Fiscal Year 2021 (Introduced by: Kurt Bovensiep, Public Works Director)

Resolution #2021-08-129

Moved by Chamberlain-Creanga
Seconded by Abraham

RESOLVED, That the Troy City Council hereby **APPROVES** a roll over budget amendment of \$150,000 to the 2022 Fiscal Year Capital Fund- Park Development-Land Improvements Civic Center Park.

Yes: All-7
No: None

MOTION CARRIED

J-10 Award Standard Purchasing Resolution 8: Best Value Award - Retreat Facilitator *(Introduced by: Robert J. Bruner, Assistant City Manager)*

Resolution #2021-08-130
Moved by Erickson Gault
Seconded by Hodorek

RESOLVED, That Troy City Council hereby **AWARDS** a contract to provide Retreat Facilitation Services to *The Leadership Group LLC of Walled Lake, MI*, as detailed in the attached proposal response and bid tabulation for a not to exceed amount of \$20,250; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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

BE IT FINALLY RESOLVED, That the Troy City Council hereby **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the Agreement; 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 #2021-08-131-J-1a
Moved by Abraham
Seconded by Brooks

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

Yes: All-7

No: None

MOTION CARRIED

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

J-2 Approval of City Council Minutes

Resolution #2021-08-131-J-2

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

- a) City Council Minutes-Draft – August 9, 2021

J-3 Proposed City of Troy Proclamations:

Resolution #2021-08-131-J-3

- a) Proclamation to Celebrate Troy Resident and Miss India USA 2021 Winner Vaidehi Dongre
- b) Proclamation for National Recovery Month – September 2021
- c) Proclamation to Declare September 2021 as National Suicide Prevention Awareness Month in the City of Troy
- d) Proclamation to Recognize Patriot Week – September 11-17, 2021
- e) Proclamation for International Day of Peace – September 21, 2021

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 2: Award to Sole Bidder Meeting Specifications – As Needed Painting Services**

Resolution #2021-08-131-J-4a

RESOLVED, That Troy City Council hereby **AWARDS** a one (1) year contract with two (2) one-year renewal options to provide Painting Services on an as needed basis not to exceed budgetary limitations to the sole bidder meeting specifications; *Arisco Contracting Group, Inc. of Fraser, MI*, at unit prices contained in the bid tabulation opened August 12, 2021; a copy of which shall be **ATTACHED** to the original Minutes of this meeting; contract to expire June 30, 2024.

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 4: State of Michigan MiDeal Purchasing Cooperative – Felling Dump Trailer - DPW**

Resolution #2021-08-131-J-4b

RESOLVED, That in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **AWARDS** a contract to *AIS Construction Equipment Company of New Hudson, MI*, for the purchase of one (1) Felling Dump Trailer model FT-12 DT HD, for an estimated total cost of \$15,473.39 as per the MiDeal Cooperative Purchasing contract #071B7700090.

c) Standard Purchasing Resolution 4: MiDeal Cooperative Purchasing Program – Motorola APX Radios and Accessories – Fire Department

Resolution #2021-08-131-J-4c

RESOLVED, That in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **AWARDS** a contract to *Motorola Solutions, Inc. of Schaumburg, IL* for the purchase of Motorola APX6000XE Portable Radios and Accessories as detailed in the **ATTACHED** quote as per the MiDeal Cooperative Purchasing Contract #190000001544 for an estimated cost of \$101,656.04, and **GRANTS AUTHORIZATION** to pay \$3,250 to Oakland County/State of Michigan for user connection fees for an estimated total cost of \$104,906.04.

d) Standard Purchasing Resolution 2: Award to Low Bidder Meeting Specifications – Sidewalk Replacement and Installation Program, and Manhole Rehabilitation

Resolution #2021-08-131-J-4d

RESOLVED, That in the best interest of the City, Troy City Council hereby **AWARDS** a one (1) year contract with the option to renew for two (2) additional years to the lowest qualified bidder meeting specifications, *Merlo Construction of Milford, MI*, to provide Sidewalk Replacement Services not to exceed budgetary limitations at the unit prices as detailed in the bid tabulation opened August 12, 2021, a copy of which shall be **ATTACHED** to the original Minutes of this meeting and as detailed below by year; with the contract expiring June 30, 2024.

<u>1 Year Contract</u>	<u>Amount</u>
Contract year 1	\$ 500,000.00
Year 1 Renewal	\$ 500,000.00
Year 2 Renewal	\$ 500,000.00
Total for 3-year contract	\$1,500,000.00

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.

J-5 Fiscal Year 2022 Municipal Credit and Community Credit Contract

Resolution #2021-08-131-J-5

RESOLVED, That Troy City Council hereby **APPROVES** the agreement between the Suburban Mobility Authority for Regional Transportation (SMART) and the City of Troy for the Municipal Credit and Community Credit Agreement, which will be used for the Troy RYDE transportation service, and the Mayor and City Clerk are **AUTHORIZED** to execute the necessary documents; a copy of this agreement shall be **ATTACHED** to the original Minutes of this meeting.

J-6 Jack B. Wolfe v City of Troy

Resolution #2021-08-131-J-6

RESOLVED, That Troy City Council hereby **AUTHORIZES** and **DIRECTS** the City Attorney to represent the City of Troy in any and all claims and damages in the matter of *Jack B. Wolfe v Troy* (Case No. 2021-189230-CZ).

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the City Attorney to pay necessary costs and fees in the defense of the action.

J-7 Firework Display Permit – St. Joseph Chaldean Catholic Church “Feast of the Holy Cross Celebration

Resolution #2021-08-131-J-7

RESOLVED, That Troy City Council hereby **ISSUES** a firework permit to St. Joseph Chaldean Catholic Church, for the public display of consumer grade fireworks at 2442 E Big Beaver Rd., Troy, Michigan, for the annual celebration “Feast of the Holy Cross” on Tuesday September 14, 2021.

BE IT FURTHER RESOLVED, That the Troy Fire Department **WILL INSPECT** the fireworks to be displayed in advance, they **WILL REVIEW** the proposed discharge location(s) and site, and **MAY TAKE ANY ACTION** to assure safety and compliance with applicable codes and standards for such a fireworks display.

J-8 Firework Display Permit – 2021 Troy Family Daze Festival

Resolution #2021-08-131-J-8

RESOLVED, That Troy City Council hereby **ISSUES** a firework permit to *Great Lakes Fireworks, LLC of Eastpointe, Michigan*, for the public display of fireworks at 3179 Livernois, Troy, Michigan, for the annual festival celebration sponsored by North Woodward Community Foundation / Troy Family Daze Festival on Saturday September 18, 2021, with a rain date of Sunday September 19, 2021.

BE IT FURTHER RESOLVED, That the Troy Fire Department **WILL INSPECT** the fireworks to be displayed in advance, and **WILL ALSO REVIEW** the proposed discharge location(s) and site, and **MAY TAKE ANY ACTION** to assure safety and compliance with applicable codes and standards for such a firework display.

J-9 Contract Amendment – Website Design Services

Resolution #2021-08-131-J-9

RESOLVED, That Troy City Council hereby **APPROVES** an amendment to the contract with *Revize of Troy, MI*, to include the interactive fillable forms feature and site map updates for a

one- time estimated cost of \$7,370 and ongoing maintenance, support, updates, and web hosting for an estimated annual cost of \$10,400.

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:

- a) Election Commission-Final – January 29, 2021
- b) Retiree Healthcare Benefits Plan & Trust-Draft – May 12, 2021
- c) Volunteer Firefighters' Incentive Plan & Trust Board of Trustees-Final – May 12, 2021
- d) Employees' Retirement System Board of Trustees-Final – June 9, 2021

Noted and Filed

M-2 Department Reports: None Submitted

M-3 Letters of Appreciation:

- a) From Allan Salyer Regarding Road Repairs
- b) From Sabah Ammouri Regarding Excellent Customer Service
- c) From Chuck Whittall Regarding Excellent Customer Service

Noted and Filed

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

M-5 Notice of Hearing for the Gas Customers of Consumers Energy Company - Case No. U-20542

Noted and Filed

M-6 Notice of Hearing for the Gas Customers of DTE Gas Company - Case No. U-20544

Noted and Filed

M-7 Notice of Hearing for the Electric Customers of DTE Electric Company - Case No. U-21010

Noted and Filed

N. COUNCIL COMMENTS:

N-1 Council Comments

Council Member Chamberlain-Creanga thanked Mr. Saylor for his note of appreciation regarding road work in Troy.

Council Member Hamilton commented that Troy Daze Family Festival is coming up September 16-19, 2021.

Council Member Hamilton asked if there is an update on the long-term engagement plan for trails and pathways. Mr. Miller answered that he will let City Council know when that project begins.

Council Member Chamberlain-Creanga thanked Cindy Stewart and Amy McKaig for all their hard work on the Troy Farmers Market.

Mayor Baker commented that the Frightful 5k registration is opening soon at troymi.gov/frightful5k.

Mayor Baker commented that the 20-year anniversary of 9/11 is coming up, and he encourages parents to have conversations with their children about the meaning behind the memorial day. He thanked all first responders for their service to the community.

The Meeting **RECESSED** at 8:35 PM.

The Meeting **RECONVENED** at 8:45 PM.

O. CLOSED SESSION

O-1 Closed Session**P. ADJOURNMENT:**

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

Mayor Ethan Baker

M. Aileen Dickson, MMC, MiPMC II
City Clerk