



CITY COUNCIL

REGULAR MEETING

AGENDA

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

Submitted By
The City Manager

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



500 West Big Beaver
Troy, MI 48084
troymi.gov

The Honorable Mayor and City Council Members

City of Troy
500 West Big Beaver
Troy, MI 48084

Dear Mayor and City Council Members:

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

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

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

Respectfully,

Mark F. Miller,
City Manager



Troy City Council Code of Ethics

1. The Troy City Council shall:

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

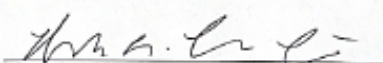
2. Any City Council member may detail a suspected violation of this Code of Ethics by another City Council member, and forward this to the Troy City Council for action. The accused City Councilmember shall have an opportunity to respond to the allegations. If after considering all of the information,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


Signed this 9th day of February, 2021.



Mayor Ethan D. Baker


Council Member Edna Abraham


Mayor Pro Tem Theresa Brooks


Council Member Rebecca Chamberlain-Creanga


Council Member Ann Erickson Gault


Council Member David Hamilton


Council Member Ellen Hodorek



CITY COUNCIL AGENDA

November 8, 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

CITY COUNCIL OATHS OF OFFICE CEREMONY: 1

A. CALL TO ORDER: 1

B. 1. ROLL CALL: 1

B. 2. 2021-2022 CITY COUNCIL INSTALLATION: 1

- a) Appointment of Mayor Pro Tem..... 1
- b) Swearing-In of Mayor Pro Tem..... 2
- c) City Council Rules of Procedure *(Introduced by: Aileen Dickson, City Clerk)*..... 2
- d) City Council Annual Review of Chapter 14A – Elected and Appointed Persons' Ethics Ordinance *(Introduced by: Lori Grigg Bluhm, City Attorney)*..... 2
- e) Cooperative Purchasing Programs Resolution *(Introduced by: Rob Maleszyk, Chief Financial Officer)*..... 2

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C-2 Proclamation for Lung Cancer Awareness Month - November 2021 *(Presented by: Mayor Ethan Baker)* 3

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O-1	No Closed Session	14
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<u>2021 SCHEDULED REGULAR CITY COUNCIL MEETINGS:</u>	<u>15</u>
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November 22, 2021	Regular Meeting	15
December 6, 2021	Regular Meeting	15
December 13, 2021	Regular Meeting	15

INVOCATION:**PLEDGE OF ALLEGIANCE:****CITY COUNCIL OATHS OF OFFICE CEREMONY:****A. CALL TO ORDER:****B. 1. ROLL CALL:**

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

Excuse Absent Council Members:

Suggested Resolution

Resolution #2021-11-

Moved by

Seconded by

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

Yes:

No:

B. 2. 2021-2022 CITY COUNCIL INSTALLATION:**a) Appointment of Mayor Pro Tem**

Rules of Procedure for the City Council addresses the appointment of Mayor Pro Tem as follows:

1. APPOINTMENT OF MAYOR PRO TEM

The selection of Mayor Pro Tem shall rotate annually in the following order: Brooks, Erickson Gault, Chamberlain-Creanga, Hodorek, Abraham, Hamilton

Suggested Resolution

Resolution #2021-11-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **APPOINTS** Council Member Erickson Gault to serve as Mayor Pro Tem for the City Council of the City of Troy for a term scheduled to expire at 7:30 PM on Monday, November 7, 2022.

Yes:

No:

b) **Swearing-In of Mayor Pro Tem**

c) **City Council Rules of Procedure (Introduced by: Aileen Dickson, City Clerk)**

Suggested Resolution

Resolution #2021-11-

Moved by

Seconded by

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:

No:

d) **City Council Annual Review of Chapter 14A – Elected and Appointed Persons’ Ethics Ordinance (Introduced by: Lori Grigg Bluhm, City Attorney)**

Suggested Resolution

Resolution #2021-11-

Moved by

Seconded by

WHEREAS, Troy City Council approved *Chapter 14A – Elected and Appointed Persons’ Ethics Ordinance* at the Regular City Council Meeting of October 25, 2021, effective November 4, 2021, which incorporated the requirements from *Section 2 – Code of Ethics* from the Council Rules of Procedure, and requires City Council to review the ordinance annually at the first Regular City Council Meeting each November;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **AFFIRMS** that all members of City Council have **REVIEWED** *Chapter 14A – Elected and Appointed Persons’ Ethics Ordinance*, **UNDERSTAND** its contents, and **AGREE** to be bound by its provisions.

Yes:

No:

e) **Cooperative Purchasing Programs Resolution (Introduced by: Rob Maleszyk, Chief Financial Officer)**

Suggested Resolution

Resolution #2021-11-

Moved by

Seconded by

WHEREAS, City Administration recommends participation in the Cooperative Purchasing Programs when in the best interest of the City;

THEREFORE, BE IT RESOLVED, That Troy City Council **AUTHORIZES** participation in the Cooperative Purchasing Programs (listed below) to satisfy bid requirements when in the best interest of the City:

MiDEAL – State of Michigan

Oakland County Extended Purchasing Program

Suburban Library Cooperative

REMC – Regional Media Center Association of Michigan

NJPA – National Joint Power Alliance (Sourcewell)

MiCTA – Michigan Collegiate Telecommunications Association

National IPA – National Intergovernmental Purchasing Alliance (OMNIA Partners)

NIGP – US Communities (OMNIA Partners)

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** *Blanket Authorizations(s)* to administratively approve purchases for operating supplies and services above the \$10,000 limit obtained through an approved Cooperative; **EXCEPT** for those Capital (401 Fund) purchases which shall be presented to Troy City Council for review and approval.

Yes:

No:

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 Proclamation for America Recycles 2021 *(Presented by: Mayor Ethan Baker)*

C-2 Proclamation for Lung Cancer Awareness Month - November 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:

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 – Global Troy Advisory Committee, Local Development Finance Authority; b) City Council Appointments – None

a) Mayoral Appointments:

Suggested Resolution

Resolution #2021-11-

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:

Global Troy Advisory Committee

Appointed by Mayor

12 Regular Members

3 Year Term

Nominations to the Global Troy Advisory Authority:**Unexpired Term Expiring:
10/30/2022****Edward Chezick**

Term currently held by: Vacancy - Kaitlin Hao resigned 8/20/21

Term Expires: 10/30/2024**Awni Fakhoury**

Term currently held by: Awni Fakhoury

Term Expires: 10/30/2024**Syeda Mohideen**

Term currently held by: Syeda Mohideen

Term Expires: 10/30/2024**Suneel Sekhri**

Term currently held by: Suneel Sekhri

Local Development Finance Authority (LDFA)

Appointed by Mayor

5 Regular Members

Staggered 4 Year Term

Nominations to the Local Development Finance Authority (LDFA):**Term Expires: Oakland
County Representative****Louis Starks****Oakland County
Representative**

Term currently held by: Daniel Hunter

Yes:

No:

b) **City Council Appointments:** None

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

a) Mayoral Nominations:

Suggested Resolution

Resolution #2021-11-

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:

Board of Review

Appointed by Mayor

3 Regular Members

3 Year Term

Current Members:

Last Name	First Name	App Res Expire	Appointment Expire	Notes 1
Adams	John	12/2/2021	1/31/2023	
Strahl	Frank	1/4/2023	1/31/2024	
Vacancy			1/31/2022	James Hatch resigned 9/22/21

Nominations to the Board of Review:

Unexpired Term Expiring:
1/31/2022

Term currently held by: Vacancy-James Hatch resigned 9/22/21

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 1
Cicchini	Philippe	4/28/2022	
Sekhri	Arun	9/24/2022	
Shoan	Michele	7/22/2023	

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. 11/13/23; DDA; GTAC, LDFA
Blair	Timothy	6/17/2017	9/30/2023	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	9/30/2025	In District	
MacLeish	Daniel	6/28/2023	9/30/2025	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 2/1/21
Vacancy			9/30/2024	In District	Cheryl Bush resigned 9/22/21

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

Term currently held by: Vacancy–W. Randol Jr. resigned 2/1/21

**Unexpired Term Expiring:
9/30/2024**

Term currently held by: Vacancy-Cheryl Bush resigned 9/22/21

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 1	Notes 2
Ashland	David	11/14/2021	At Large	Liquor Adv Comm exp 1/31/24
Beyer	Joseph	10/26/2022	In District	
Forster	Jeffrey	3/23/2023	At Large	Personnel Bd exp 4/30/24
Goetz	John	3/4/2023	At Large	
Kornacki	Rosemary	12/14/2022	At Large	Brownfield Redev Auth exp 4/30/23
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	
Singh	Inderpal	11/12/2021	At Large	
Vassallo	Joseph	3/4/2023	At Large	Brownfield Redev Auth exp 4/30/24

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	
<i>Chezick</i>	<i>Edward</i>		10/30/2022	
<i>Fakhoury</i>	<i>Awni</i>	4/28/2018	10/30/2021	<i>Requests Reappointment</i>
Liu	Allison	10/1/2022	7/31/2022	Student
<i>Mohideen</i>	<i>Syeda</i>	8/24/2020	10/30/2021	<i>Requests Reappointment</i>
Natcheva	Daniela	11/8/2021	10/30/2022	
Noguez-Ortiz	Carolina	12/19/2019	10/30/2022	Brownfield Redev Auth exp 4/30/23
Sekhri	Suneel	12/20/2021	10/30/2021	
Swaminathan	Sharanya		7/31/2022	Student
Vacancy			10/30/2023	Rebecca Chamberlain-Creangă resigned 2/26/20
Vacancy			10/30/2023	Cathleen Francois requested No Reappointment
Zhou	Yudong	10/23/2021	10/30/2022	

Nominations to the Global Troy Advisory Authority:

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

Term currently held by: Vacancy–Rebecca Chamberlain-Creangă resigned 2/26/20

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 1/31/23
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. 11/13/23; DDA; GTAC, LDFA
Beltramini	Robin	7/17/2021	6/30/2022	Resident Member	Charter Rev Comm exp 4/30/22
Hodorek	Ellen		11/8/2021	Alternate; City Council	City Council exp 11/8/21
<i>Starks</i>	<i>Louis</i>			<i>Oakland County Designee</i>	
Vacancy			6/30/2023	Resident Member	Paul V. Hoef resigned 4/27/21
Vacancy			6/30/2024	Resident Member	David Shield's term exp 6/30/16 - No Reappointment
Vacancy			6/30/2024	Resident Member	John Sharp's unexpired term
Vacancy			6/30/2023	Resident Member	Nickolas Vitale resigned 7/17/21

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

Term currently held by: Vacant – P. Hoef resigned 4/27/21

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

Term currently held by: Vacant – N. Vitale resigned 7/17/21

**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 11/1/19

Interested Applicants:

Last Name	First Name	App Resume Expire	Notes 1
DiFalco	Melissa	12/2/2021	
Rahman	Mahfuzur	9/24/2022	
Schick	Michael	12/22/2022	
Sweidan	Rami	4/28/2022	Brownfield Redev Auth exp 4/30/23
Vassallo	Joseph	3/4/2023	Brownfield Redev Auth exp 4/30/24

Yes:

No:

b) City Council Nominations:**Suggested Resolution**

Resolution #2021-11-

Moved by

Seconded by

RESOLVED, That Troy City Council hereby **FORWARDS** the following nominated person(s) to serve on the Boards and Committees as indicated to the next Regular City Council Meeting for action:

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 9/30/21; HDC exp 3/1/23
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 No Closed Session Requested**I-4 2022 City Council Meeting Schedule (Introduced by: Robert J. Bruner, Assistant City Manager)***(The Agenda Item will be submitted as a Late Submittal Item.)***I-5 Bid Waiver – Bus Transportation Services (Introduced by: Brian Goul, Recreation Director)**Suggested Resolution

Resolution #2021-11-

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 to *First Student of Chicago, IL*, for Bus Transportation Services for the City of Troy Recreation Department Programs under new terms and conditions at \$57.75 per hour; for two (2) additional years; contract expiring December 31, 2023.

Yes:
No:

J. CONSENT AGENDA:

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

Suggested Resolution

Resolution #2021-11-

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 #2021-11-

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

- a) City Council Minutes-Draft – October 25, 2021

J-3 Proposed City of Troy Proclamations:

Suggested Resolution

Resolution #2021-11-

- a) Proclamation for Small Business Saturday to Saturday - November 27–December 4, 2021

J-4 Standard Purchasing Resolutions:

a) **Standard Purchasing Resolution 4: Cooperative Purchasing Contract – Troy Public Library – Digital Services and Community Engagement Offices**

Suggested Resolution
Resolution #2021-11-

RESOLVED, That, in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **AWARDS** a contract to *Library Design Associates of Plymouth, MI*, for the purchase and installation of New Furnishings and Office Space Renovations, as detailed in the quote and as per the OMNIA Partners Cooperative Purchasing Contract #R191817, for an estimated cost of \$72,298 and a 10% contingency in the amount of \$7,229; for a not to exceed total of \$79,527; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

BE IT FINALLY 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: MiDeal Cooperative Purchasing Agreement – DPW Fleet Pickup Trucks**

Suggested Resolution
Resolution #2021-11-

RESOLVED, That Troy City Council hereby **AWARDS** contracts to purchase ten (10) 2022 Ford Pickup Trucks from *Gorno Ford of Woodhaven, MI*, for the Department of Public Works as per the MiDeal Cooperative Purchasing contract #071B7700181 for an estimated total cost of \$263,431.00.

c) **Standard Purchasing Resolution 4: Sourcewell Purchasing Cooperative – Server Replacements**

Suggested Resolution
Resolution #2021-11-

RESOLVED, That Troy City Council hereby **APPROVES** the purchase of two (2) Hewlett Packard DL360 servers, including hardware and five (5) years of maintenance, from *CDW-G of Chicago, IL*, through the Sourcewell Cooperative Purchasing Contract #081419-CDW for an estimated total cost of \$ 20,656.06 as per the attached quote; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-5 Tennille Viau v. the Troy Police Department et. al.

Suggested Resolution
Resolution #2021-11

RESOLVED, That Troy City Council hereby **AUTHORIZES** and **DIRECTS** the City Attorney's Office to represent the Troy defendants in the Viau v. Troy Police Department et. al case, U.S. District Court, Eastern District of Michigan, Case Number 2:21-cv-12313, and **AUTHORIZES** the payment of necessary costs and expenses, including the retention of any witnesses (including experts) that are required to adequately represent the Troy defendants.

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) Interim Financial Report First Quarter For The Three Months Ended September 30, 2021
 - b) Troy Nature Society Financial Statements and Annual Report for the Fiscal Year Ending 2021
 - c) Troy Master Plan City Council Process Report
 - d) List of Proclamations - *(The Item will be submitted as a Late Submittal Item)*
-

M-3 Letters of Appreciation: None Submitted

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

M-5 Notice of Hearing for the Electric Customers of DTE Electric Company Case No. U-21087

N. COUNCIL COMMENTS:

N-1 No Council Comments

O. CLOSED SESSION

O-1 No Closed Session

P. ADJOURNMENT:

Respectfully submitted,



Mark F. Miller
City Manager

2021 SCHEDULED SPECIAL CITY COUNCIL MEETINGS:

November 13, 2021 Special (Strategic Planning)

2021 SCHEDULED REGULAR CITY COUNCIL MEETINGS:

November 22, 2021 Regular Meeting

December 6, 2021 Regular Meeting

December 13, 2021 Regular Meeting



500 West Big Beaver
Troy, MI 48084
troymi.gov

B-02c

CITY COUNCIL AGENDA ITEM

Date: November 4, 2021

To: Mark F. Miller, City Manager
Robert J. Bruner, Assistant City Manager

From: M. Aileen Dickson, City Clerk

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

History

City Council is required by the Council Rules of Procedure to annually review the Council Rules of Procedure each November at the first meeting following the November General Election.

There are three proposed revisions to the Council Rules of Procedure, as shown in the attached red-lined version of the document:

1. APPOINTMENT OF MAYOR PRO TEM:

The selection of Mayor Pro Tem shall rotate annually in the following order: Erickson Gault, Chamberlain-Creanga, Hodorek, Abraham, Hamilton, Brooks

This revision simply adjusts the lineup for Mayor Pro Tem to reflect the completion of Council Member Brooks' term, and the expected upcoming term for Council Member Erickson Gault.

2. CODE OF ETHICS:

This section has been deleted. Ethics for City Council and Boards and Committees are now addressed in *Chapter 14A: Elected and Appointed Persons' Ethics Ordinance*, including annual review and agreement requirements.

5. REGULAR MEETINGS:

b) REGULAR MEETING ORDER OF BUSINESS:

The revisions to this section insert an additional Public Comment portion to the Regular City Council Meeting Agenda that had previously been removed. Beginning in 2020 during the City Council virtual meetings, the Public Comment portions of the Agenda had been consolidated. In early 2021, the Rules



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CITY COUNCIL AGENDA ITEM

were amended to officially consolidate Public Comment into one portion: *Item F. Public Comment*. The proposed revision separates the Public Comment into two sections, as it was before the virtual meetings of 2020, *Item F. Public Comment for Items On the Agenda* and *Item L. Public Comment for Items Not On the Agenda*. Also, an additional response item has been added *Item M. City Council/City Administration Response/Reply to Public Comment for Items Not On the Agenda*.

Proposed Amendment:

- F. Public Comment for Items **On the Agenda**
- G. City Council/City Administration Response/Reply to Public Comment for Items **On the Agenda**
- H. Postponed Items
- I. Regular Business
- J. Consent Agenda
- K. Memorandums and Future Council Agenda Items
- L. Public Comment for Items Not On the Agenda**
- M. City Council/City Administration Response/Reply to Public Comment for Items Not On the Agenda**

Legal Review

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



RULES OF PROCEDURE FOR THE CITY COUNCIL CITY OF TROY, MICHIGAN

~~Adopted: July 26, 2021~~ Proposed:
November 8, 2021

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1. APPOINTMENT OF MAYOR PRO TEM:

The selection of Mayor Pro Tem shall rotate annually in the following order: ~~Brooks,~~ Erickson Gault, Chamberlain-Creanga, Hodorek, Abraham, Hamilton, Brooks

~~2. CODE OF ETHICS:~~

~~a) CITY COUNCIL CODE OF ETHICS:~~

~~In November of each year, City Council shall thoroughly review its Code of Ethics at a City Council meeting, and thoughtfully consider and discuss its effectiveness and/or the need for any revisions. In November of each year, all City Council members shall agree to abide by the approved City Council Code of Ethics, and shall evidence this agreement by affixing their signature to a written copy of the Code of Ethics at the earliest opportunity, and providing an executed copy to the City Clerk. The Council Code of Ethics shall be prominently placed on the City's website and shall also be included in each City Council agenda meeting packet. City Council members shall hold themselves to the highest level of integrity.~~

~~b) BOARD AND COMMITTEE CODE OF ETHICS:~~

~~City Council shall review and revisit the Board and Committee Code of Ethics in November of each calendar year, and upon appointment, all Board and Committee members shall agree to abide by the adopted Board and Committee Code of Ethics, and shall evidence this agreement by affixing their signature to a written copy of the Code of Ethics at the earliest opportunity, and providing an executed copy to the City Clerk. A generic version of the Board and Committee Code of Ethics shall be prominently placed on the City's website which is applicable to all City Boards and Committees, and each meeting agenda packet shall also include the applicable Code of Ethics.~~

~~c.) ETHICS TRAINING:~~

~~At least one time per year, City Administration shall provide at least one hour of ethics and professional responsibility training to the Troy City Council and the Boards and Committees. City Administration can internally provide this training, or can enter into a contract with a qualified person or entity.~~

3.2. DESIGNATION OF ACTING MAYOR:

In the absence or disability of both the Mayor and the Mayor Pro Tem, the Council Member present who has served longest shall be designated Acting Mayor and shall perform the duties of the Mayor.

4.3. SPECIAL MEETINGS:

Special meetings may be called in accordance with the City Charter and the Open Meetings Act. Special meetings shall be held at 6:00 P.M. in the Council Board Room unless the written notice to each member of the Council provides for a different time and/or place.

a) SPECIAL MEETING AGENDAS:

The City Manager shall be responsible for the preparation of an agenda for each special meeting. The agenda packet, excluding material exempt from disclosure by state or federal statute, shall be posted on the City's website and distributed to the City Council at least eighteen (18) hours in advance of the meeting.

b) SPECIAL MEETING ORDER OF BUSINESS:

- A. Call to Order
- B. Roll Call
- C. Public Comment
- D. Business Stated in the Special Meeting Notice
- E. Other Business (Only with consent in accordance with City Charter Section 4.3).
- F. Adjournment

5.4. REGULAR MEETINGS:

Regular meetings shall be held at 7:30 P.M. in the Council Chambers. A schedule of regular meetings for the subsequent calendar year shall be adopted by resolution in accordance with the City Charter and the Open Meetings Act.

a) REGULAR MEETING AGENDAS:

The City Manager shall be responsible for the preparation of an agenda for each regular meeting. The agenda packet, excluding material exempt from disclosure by state or federal statute, shall be posted on the City's website and distributed to the City Council at least forty-eight (48) hours in advance of the meeting. When City Council meets in a closed session pursuant to MCL 15.268 (c), for strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement, the collective bargaining agreement shall be identified on the agenda. When City Council meets in a closed session pursuant to MCL 15.268 (e), to consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, the specific pending litigation shall be identified on the agenda.

b) REGULAR MEETING ORDER OF BUSINESS:

- A. Call to Order
- B. Roll Call
- C. Certificates of Recognition and Special Presentations

- D. Carryover Items
- E. Public Hearings
- F. Public Comment for Items On the Agenda
- G. City Council/City Administration Response/Reply to Public Comment for Items On the Agenda
- H. Postponed Items
- I. Regular Business
- J. Consent Agenda
- K. Memorandums and Future Council Agenda Items
- L. Public Comment for Items Not On the Agenda
- K.M. City Council/City Administration Response/Reply to Public Comment for Items Not On the Agenda
- L.N. Council Referrals - Items appearing under Council Referrals are items intended for City Council action that are brought forward by the Mayor or Council Members in accordance with the Rules of Procedure
- M.O. Reports
- N.P. Council Comments - Items for the good of the order brought forward by Mayor and Council
- O.Q. Closed Session
- P.R. Adjournment

6.5. BROADCASTING OF CITY COUNCIL MEETINGS:

All regular meetings of the City Council will be broadcast on the City's government access cable channel and/or made available through online streaming or similar media formats.

7.6. MINUTES:

The draft City Council meeting minutes will be available on the City's website prior to their inclusion in the next regular agenda packet. The requested approval of the minutes will be included on the Consent Agenda.

8.7. PROCLAMATIONS AND CONGRATULATORY CERTIFICATES:

City Council receives requests for proclamations to honor or celebrate milestones or achievements of Troy residents and businesses, and also to raise awareness of certain events or causes. Proclamations are intended to positively impact the community and convey an affirmative message to Troy residents, and are discretionary. Any person requesting a proclamation for presentation at a regular City Council meeting shall submit a written request to the City Manager or his/her designee. Proclamations must be approved by City Council at a regular meeting preceding the requested presentation date. If a presentation is requested, the proclamation will be included under the topic of Certificates of Recognition and Special Presentations.

Congratulatory certificates are public announcements made by City Council at ribbon cutting ceremonies, grand openings and other events outside of regular City Council meetings. Any request for such a congratulatory certificate should be submitted to the City Manager or his/her designee in advance of the planned business celebration and will not require City Council action.

9.8. RECONSIDERATION OF RESOLUTIONS:

A motion to reconsider any vote of the Council may be made by either side of the voted motion and shall require the affirmative vote of the majority of the Council Members elect. A motion to reconsider can be made only if no action was taken as a result of the previous vote. If such a motion to reconsider passes, and new information has been brought forward, then any member of Council may move to take action on the motion that is to be reconsidered, and any such motion would pass by an affirmative vote of the majority of the Council Members elect.

10.9. RESCISSION OF RESOLUTIONS

Rescission of any vote of the Council shall require the affirmative vote of the majority of the Council Members elect only if no action was taken as a result of the previous vote.

11.10. PUBLIC HEARINGS:

Public hearings will be held after required notice has been provided. The City Council may upon affirmative vote of a majority of its members "continue" said hearing at a future date designated in the resolution, without the necessity of re-notification. If the City Council elects to continue the public hearing it will appear in the designated meeting agenda under the topic of Public Hearings.

12.11. CONSENT AGENDA:

The Consent Agenda includes items of a routine nature and will be approved with one motion. That motion will approve the recommended action for each item on the Consent Agenda. Any Council Member may remove an item from the Consent Agenda and have it considered as a separate item. Any item(s) so removed from the Consent Agenda shall be considered after approval of the motion for all non-removed items on the consent portion of the agenda. Public comment on Consent Agenda items will be permitted pursuant to the Rules of Procedure.

13.12. APPOINTMENTS TO BOARDS AND COMMITTEES:

a) MAYORAL APPOINTMENTS:

The Mayor shall, with City Council concurrence, appoint members of the following boards or committees as governed by state statute or city ordinances: Board of Review, Brownfield Redevelopment Authority, Civil Service Commission (Act 78), Downtown Development Authority, Economic Development Corporation, Global Troy Advisory Committee, Local Development Finance Authority, Planning Commission, Volunteer Firefighter Incentive Board

b) CITY COUNCIL APPOINTMENTS:

The Mayor Pro Tem shall contact candidates or incumbents for City Council appointments to determine their interest in being nominated or reappointed. Any Council Member, but usually the Mayor Pro Tem, may put forth nominees to the following boards or committees: Animal Control Appeal Board, Building Code Board of Appeals, Charter Revision Committee, Election Commission, Historic District Commission, Liquor Advisory Committee, Municipal Building Authority, Parks and Recreation Board, Personnel Board, Retiree Health Care Benefits Plan & Trust, SOCRRA, SEMCOG, Sustainable Design Review Committee, Traffic Committee, Zoning Board of Appeals

c) NOMINATIONS:

The Mayor or any Council Member desiring to nominate a person for appointment to a board, commission, or committee shall submit the person's name for nomination at a regular meeting during the item Board and Committee Nominations. The person's name will be placed on the agenda for the next regular meeting under the item Board and Committee Appointments. A brief summary of background and personal data as to nominee's qualifications (or a resume) should be submitted on or before the time of nomination, except that such a resume shall not be required for the re-nomination of a current board or commission member, or if the Council unanimously agrees that a resume is not necessary. In the event that more nominees are put forth than positions available, the City Clerk will conduct a roll call vote.

14.13. CITY COUNCIL REPRESENTATION ON BOARDS AND COMMITTEES:

a) SEMCOG (Southeastern Michigan Council of Governments) Representation:

The Mayor and City Council shall appoint one delegate and one alternate to serve on the SEMCOG General Assembly for a term of two-years expiring at 7:30 PM on the Monday following the City Council general election.

b) SOCRRA (South Oakland County Resource Recovery Authority) Representation:

The Mayor and City Council shall appoint one delegate and one alternate to serve on the SOCRRA Board for a term of one-year expiring on June 15th.

c) No member of the City Council shall serve on any committee, commission or board of

the City of Troy, except the Retirement System Board of Trustees, Retiree Health Care Benefits Plan and Trust, Volunteer Firefighter Incentive Plan & Trust, Global Troy Advisory Committee, Downtown Development Authority and Local Development Finance Authority (LDFA), unless membership is required by ordinance, statute or the City Charter.

- d) Because quasi-judicial boards and commissions are appointed by Council, and make recommendations to the Council, these recommendations should be made independent of the influence of individual Council Members. As a result, members of City Council shall not appear before or attend meetings of City boards or commissions if they are not appointed members of the City board or committee.

15.14. MEMBERS OF THE PUBLIC AND VISITORS:

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.

16.15. RULES OF ORDER:

Robert's Rules of Order Newly Revised, as clarified by the City Clerk, is hereby adopted, except as modified by these Rules of Procedure, the Charter, or the City Code.

17.16. ABSENCES AT COUNCIL MEETINGS:

Members of Council who are unable to attend a Council meeting and desire an excused absence shall notify the City Attorney or City Manager of their absence in writing as soon as possible prior to the meeting and indicate the reason for the absence. The reason shall be entered in the proceedings of the Council at the time of each absence.

18.17. SUSPEND RULES:

The Rules of Procedure may be waived by a simple majority vote, unless specifically noted that a consensus of City Council is sufficient.

19.18. COUNCIL DISCUSSION:

No member of Council shall speak a second time on any item under discussion until all other members desiring to speak on that item have been heard. No member of Council shall be allowed to speak for more than five (5) minutes at a time.

20.19. AGENDA ITEMS SUBMITTED BY COUNCIL MEMBERS:

Timely submitted agenda items that, in the City Manager's judgment, do not require a professional opinion from City Administration, will be placed on the next regular agenda for City Council action. These items include, but are not limited to proclamations and celebratory matters. If the City Manager believes that City Council could benefit from additional input from City Administration prior to voting on a referral, then the next regular agenda will contain only a resolution directing City Administration to provide additional input to accompany the Council referral for a future City Council meeting.

24.20. WIRE COMMUNICATIONS BY AND TO COUNCIL MEMBERS DURING ANY MEETING OF COUNCIL:

Members of Council shall not engage in electronic communication with each other or a member of the public during a regular or special meeting. Electronic communication is defined as e-mail, text message, instant message, website, social media, blog posting, or

any other form of communication transmitted or retrieved through the use of an electronic device. *This rule does not apply to remote attendance and participation in meetings pursuant to the Open Meetings Act, as amended.*

Chapter 14A – Elected and Appointed Persons’ Ethics Ordinance

14.1 Purpose. This Code of Ethics is adopted to allow all public officials to construe and implement ethical standards and guidelines, and require elected and appointed official’s conduct be above reproach. Troy’s elected and appointed officials shall carefully and conscientiously avoid any conduct that undermines public confidence, guided by the following principles:

- *Public interest.* City officials are delegated power from the public and are obliged to exercise that power as trustees of the public. The power and resources of government service therefore shall be used only to advance the public interest.
- *Objective judgment.* Loyalty to the public interest requires that all matters shall be decided with independent, objective judgment, free from avoidable conflicts of interest, improper influences, and competing loyalties.
- *Accountability.* Government affairs shall be conducted in an open, efficient, fair and honorable manner, which enables citizens to make informed judgments and to hold officials accountable.
- *Democratic leadership.* All City officials shall honor and respect the principles of representative democracy and will scrupulously observe the spirit as well as the letter of the law.
- *Respectfulness.* All City officials shall safeguard public confidence by being honest, fair and respectful of all persons and property with whom they have contact, by maintaining nonpartisanship in all official acts, and by avoiding conduct which may tend to undermine respect for City officials and employees and for the City as an institution.

14.2 Definitions. The following words and phrases shall have the following meaning:

City official is a person elected, appointed or otherwise serving in any capacity involving the exercise of a public power, trust or duty.

Compensation is any money, property, thing of value or benefit received by any person in return for services rendered.

Confidential Information is information obtained by a Public Official or Employee by reason of his or her position that is not available to members of the public pursuant to the Michigan Freedom of Information Act or other applicable laws, regulations, or procedures.

Conflict of interest is either a personal interest or a duty or loyalty to a third party that competes with or is adverse to a City official’s duty to the public interest in the exercise of official duties or official actions.

Entity means any agents, agency, contractors, vendors, or entities operated for economic gain, whether professional , industrial, or commercial, and whether established to produce or deal with a product or service, including but not limited to entities operated in the form of a corporation, limited liability company, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, holding company, joint stock company, receivership, trust, activity or other entities which is organized for profit.

Chapter 14A – Elected and Appointed Persons’ Ethics Ordinance

Gift means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, travel, lodging, and honoraria for speaking engagements related to or attributable to government employment or an official position of an official. Gift does not include small tokens of a nominal value, or any reportable campaign contributions pursuant to State law.

Governmental decision means a determination, action, vote, or disposition upon a motion, proposal, recommendation, resolution, ordinance, or measure on which a vote by the members of a legislative or governing body, including a board, commission, committee, subcommittee, authority, or council, which is empowered to exercise authority or perform an official action, or formulate or effectuate public policy.

Immediate Family Member shall mean Public Official's spouse, significant other, parent, parent -in- law, step- parent, sibling, child, step -child, grandchild, step-grandchild or grandparent or any relative sharing the same household.

Official means a person who holds office, by election or appointment within the City, regardless of whether they are compensated for service in an official capacity, including individuals appointed to a City board or commission. It does not include City employees for the purposes of this Ordinance.

Official duties or *official actions* are failures to act or decisions, recommendations, approvals, disapprovals or other actions which involve the use of discretionary authority.

Pecuniary Interest means the opportunity, directly or indirectly, to profit or share in any profit derived from a transaction.

Prohibited source means any person or entity who:

- Is seeking official action by an official;

- Does business or seeks to do business with the official;

- Conducts activities regulated by the official or by a City employee, or another employee directing that employee; or

- Has interests that may be substantially affected by the performance or nonperformance of the official duties of the official.

Publicly Disclose shall mean to disclose in such a manner as to ensure all involved in considering the decision, action or contract are aware of the conflict of interest or other situation requiring disclosure and the nature of same.

Relative means any relationship established by blood, marriage, or legal action.

Unethical Conduct means a violation of any prohibited conduct as described in this Ordinance or under State law.

14.3 **Annual Training and Acknowledgement.**

Chapter 14A – Elected and Appointed Persons’ Ethics Ordinance

- A. This Ethics Ordinance is intended to be self-enforcing and therefore becomes most effective when everyone is thoroughly familiar with and embraces its provisions. For this reason, ethical standards shall be included in the regular orientation for newly elected and appointed officials.
- B. Prior to attending the first official meeting after election or appointment, City officials shall sign a statement affirming they have read and understood this Ethics Ordinance and agree to be bound by its provisions.
- C. City officials shall participate in annual ethics training provided by City Administration or a qualified outside contractor.
- D. This Ordinance shall be annually reviewed by the Troy City Council at the first regular meeting in November. At that time, Council may evaluate past operations and consider recommendations and make any necessary revisions.

14.4 Principal Ethical Responsibilities.

- A. City Officials are bound to uphold the Constitution of the United States and the Constitution of the State and to carry out impartially and comply with the laws of the United States, State of Michigan, and the City.
- B. City officials shall communicate only truthful and complete information. Public officials shall not knowingly make false or misleading statements or use false or misleading information as a basis to support a decision.
- C. City officials shall conduct themselves with respect and civility, and as role models for residents, business people and other stakeholders. City officials shall support the maintenance of a positive and constructive workplace environment for City employees, citizens and businesses dealing with the City.
- D. City officials agree to conduct public deliberations and processes openly, unless such deliberations are lawfully closed to the public. City officials also agree to become informed concerning the issues to be considered at each meeting.
- E. City officials shall exercise the public trust for the common good, and not for personal gain. City officials shall be guided by the principle that all official decisions and all official actions are intended to improve the quality of life in the community.
- F. Because of the value of independent advice of boards, commissions and committees to the public decision-making process, members of the Troy City Council shall refrain from using their official positions to unduly influence the deliberations, outcomes or recommendations of any other City board, commission or committee proceedings. To that end, City Council members shall not attend any board or committee meeting where the board or committee members are appointed or approved by the Troy City Council. However, this does not prevent a City Council member who is duly appointed to a board or committee from attending and participating at those board or committee

meetings.

- G. When a City Council member represents the City on a regional or multijurisdictional board or commission and is confronted with an issue that pits or could pit the City's interests against the greater interests of the broader board or commission, the City Council representative shall make significant efforts to obtain direction and guidance from Troy City Council in advance of any required vote, in accordance with the Open Meetings Act provisions.
- H. In their official, professional and personal lives, City officials shall observe proper decorum, and not engage in offensive behavior or take any action that results in an appearance of impropriety. City officials should avoid the use of derogatory or denigrating language. While recognizing First Amendment rights, all City officials should refrain from abusive conduct and personal charges or verbal attacks upon the character or motives of other City officials, residents, employees, contractors, and officials from other governmental entities.
- I. City officials shall support official Council or Board or Committee actions, resolutions, decisions, policies or positions. This does not preclude City officials from presenting individual opinions and positions in certain situations, as long as City officials explicitly state that they do not represent the Council, Board or Committee or the City as a whole.
- J. City officials must not exceed their authority or breach the law or ask others to do so.
- K. City officials shall safeguard public confidence by being honest, fair and respectful of all persons and property with whom they have contact, by maintaining non- partisanship in all official acts, and by avoiding official conduct which may tend to undermine respect for Public Officials and Employees and for the City as an institution.
- L. City officials shall work with other City officials to establish effective policies.
- M. City officials shall delegate the authority for the running of the City to the City’s Administrative staff.
- N. City officials should encourage free expression of opinion by all other City officials.
- O. City officials should render decisions in a fair and impartial manner, based on the available facts and independent judgment, rather than succumbing to the influence of individual or special interest groups.
- P. City officials should make every effort to attend all meetings.
- Q. City officials should use the same care and caution when using electronic media as would be exercised when speaking face to face or through written memorandum or other communication.

14.5 Gifts

- A. City officials shall not intentionally solicit or accept any gift or loan of money, goods, services or other things of value from any prohibited source or which is otherwise prohibited by law or ordinance. The following are not prohibited by law or ordinance:
1. Any contribution that is lawfully made under the Campaign Finance Laws of the State of Michigan.
 2. Opportunities, benefits, and services that are extended to all participants in an event or activity that is open to the public.
 3. Acceptance of promotional or logo material with a nominal value not exceeding \$25.00.
 4. Anything for which the public official pays the fair market value.
 5. A gift from an immediate family member or significant other.
 6. Perishable or consumable gifts with a nominal value not exceeding \$25.00.
 7. Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position of the recipient and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (i) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (ii) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (iii) whether the individual who gave the gift also at the same time gave the same or similar gifts to other public officials.
 8. Food, refreshments, lodging, transportation, and other benefits resulting from a City official's attendance at a relevant educational or training conference, such as a Michigan Municipal League conference, unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the unique official position of the recipient and not extended to other similarly situated officials.
 9. Admission to a charitable or non-profit event or fundraiser when the City official is attending as a representative of the City or for which other public officials of other local governments have similarly been provided complimentary admission due to their status as governmental officials.
 10. Admission to events honoring another public official or governmental official when the City Official is attending as a representative of the City or for which other public servants or officials of other local governments have similarly been provided complimentary admission due to their status as governmental officials.
 11. Intra-governmental and inter-governmental gifts. An intra-governmental gift means any gift given to a City official from another official or

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employee, and an inter-governmental gift means any gift given to an official by an official or employee of another governmental entity.

- B. A City official does not violate this section if they explain the City’s policy against the acceptance of gifts and promptly take reasonable action to return a gift from a prohibited source or donate said gift to a non-profit organization.

14.6 Disclosure of Confidential Information.

A City official who acquires information in the course of his or her official duties, which by law or policy is confidential, shall not prematurely divulge shall not divulge that information to an unauthorized person, nor use the information to further the private interest of the City official or any third party.

14.7 Public resources.

A public official shall use personnel resources, property, and funds under their care and control judiciously and solely in accordance with prescribed constitutional, statutory, and regulatory procedures and not for personal or political gain.

14.8 Personal Profit.

- A. No City official shall intentionally take or refrain from taking any official action, or induce or attempt to induce any other City official from taking any official action on any matter before the City which would result in a financial benefit for the City official, an immediate family member, an outside employer, any business in which the City official or an immediate family member has a financial interest, or any business with which the City official or immediate family member is negotiating or seeking prospective employment or other business or other professional relationship.
- B. No City Official shall use or attempt to use his or her official position to secure or request any special consideration, privilege, exemption, advantage, contract or preferential treatment for himself, herself, or others, beyond that which is available to every other citizen.
- C. No City Official shall acquire any financial benefit in or accept any employment concerning any project which has been granted approval by the City within one year of the Public Official' s participation in any manner in considering or recommending the approval or disapproval of said project.

14.9 Incompatibility of Office and Conflicts of Interest

- A. A City official shall not engage in or accept employment or render services for a private or public interest when that employment or service is incompatible or in conflict with the discharge of the official's duties or when that employment may tend to impair his or her independence of judgment or action in the performance of official duties.

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- B. The simultaneous holding of more than one public position under certain circumstances is contrary to the requirements of the Incompatible Public Offices Act, MCL 15.181 et seq. However, the simultaneous holding of certain public positions is permitted where specifically authorized by the Michigan Constitution of 1963 or state statute.
- C. There is a rebuttable presumption that there is no prohibited conflict of interest when a City official is a member or serves on a board, without compensation, which is substantially affiliated with or controlled by the City or 501C(3) not-for-profit organization. However, the City official shall make a disclosure of his or her affiliation prior to any action on the matter.
- D. City officials should err on the side of disclosure when there is a potential or perceived conflict of interest. Where there is any question about a potential conflict of interest, even though it may not be an actual conflict, City officials should discuss the particular situation with the City Manager, City Attorney, City Clerk and/or City staff liaison to the board or committee (City Administration) in advance of any meeting concerning the matter. If after such discussion, City Administration recommends disclosure, considering the interests of the City and those of the individual involved, the City official would then be responsible to publicly disclose the potential conflict or situation to the entire Council, board or committee before any presentation or discussion on the matter. This process allows for the Council, board or committee to take affirmative action to recuse the public official from further participation upon the determination when it determines that there is a conflict of interest.

14.10 Annual Disclosure Statements

- A. The Mayor and all members of the Troy City Council, and all candidates for these elected positions; as well as all members of the Troy Planning Commission and all applicants; all members of the Board of Zoning Appeals and all applicants; and all members of the Troy Liquor Committee and all applicants are required to timely file an Annual Disclosure Statement with the Troy City Clerk. The mandated Annual Disclosure Statement shall provide the information required Section 6.4 and 6.12 of the Troy Charter.
- B. Any candidate for the elected offices of Mayor or City Council who fails to file the required full disclosure statement prior to the deadline for completing all other acts necessary to have his or her name placed on the ballot shall be ineligible to have his or her name placed upon said ballot.
- C. Any applicant being considered for appointment to the Troy Planning Commission or the Board of Zoning Appeals or the Liquor Control Committee who fails to file a full disclosure statement prior to his or her official appointment shall be ineligible to serve on the board or committee.
- D. Any elected or appointed City official that fails to timely submit the required full disclosure statement shall be subject to removal from office for misconduct. In such a case, the City Clerk shall send an official notice to the City official, giving

them at least ten days to comply, and setting a date for a removal hearing at a regular Troy City Council meeting. If the City official fails to timely file the required full disclosure statement by the scheduled deadline, then the Troy City Council shall hold a hearing in order to provide the City official with an opportunity to present proof of compliance prior to being removed from office. There is a presumption of misconduct in office if the City Clerk states under oath that he or she has not timely received the required full disclosure statement from the City official. The City official will have the opportunity to rebut this presumption, and present all material factual evidence and testimony and/or cross examine witnesses. The City official can be represented by legal counsel at the hearing. If the City official failing to timely file the required full disclosure statement is a City Council member, they shall not participate in any decision. At the close of the hearing, a simple majority of the participating City Council members shall determine if removal from office is appropriate (exclusive of any member whose removal is being considered).

- E. A City official shall not participate, in the course of official duties, in any transaction which subsequently would be required to be disclosed in an annual disclosure statement or which would constitute a conflict of interest without disclosing the interest in the transaction prior to participating in the transaction.

14.11 Personal and financial interests

A City official shall not participate in the negotiation or execution of contracts, making of loans, granting of subsidies, fixing of rates, issuance of permits or certificates, or other regulation or supervision relating to any entity in which the City official has a financial interest, personal interest, or a *fiduciary duty*. For the purposes of this section *fiduciary duty* means the responsibility to act on behalf of a beneficiary as a director or executive board member of a corporation, for profit or otherwise.

14.12 Political Activities

- A. A City official or candidate for City Council shall not solicit contributions or endorsements from City appointees, employees, contractors or volunteers during the course of their official duty. This provision is not intended to interfere with an individual or group's right to endorse or contribute on their own, or to prohibit soliciting contributions or endorsements outside of the course of an official duty.
- B. City resources shall not be used for political benefit in accordance with the restrictions of the Michigan Campaign Finance Act, MCL 169.257 et. seq.. This does not prevent a City official or candidate's use of City property or facilities that are available to the general public on an equal basis, as long as due consideration is paid. A knowing violation of Section 57 of the Campaign Finance Act is a misdemeanor offense according to MCL 169.257(4).
- C. Any candidate or committee, as defined in the Michigan Campaign Finance Act, MCL 169.257 et. seq., Act 388, Public Acts of Michigan, 1976, as amended, who receives contributions or makes expenditures for the purpose of influencing or attempting to influence the action of electors of the City in City elections shall timely file the statements or reports required to be filed in accordance with the Michigan Campaign Finance Act. Any candidate may file a duplicate copy of any

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such statement or report with the Troy City Clerk to supplement the information required by the annual disclosure statement.

14.13 Anti-Nepotism

No City official shall cause the employment or any favorable employment action of an immediate family member. No City official shall participate in any employment decision about that family member. This section shall not prevent a City official from preparing or approving a budget which includes compensation for an immediate family member, so long as that immediate family member receives the same treatment as others in his/her classification.

14.14 Retaliation

- A. A Public Official or Employee who reports or is about to report a violation of this Ordinance or who requests an advisory opinion shall not be retaliated against in any manner for such action or participation. Additional protections for City officials and employees who act as Whistleblowers are found in the State Ethics Act MCL 15.341 et. seq., and the Whistleblowers’ Protection Act, 1980 PA 469, MCL 15.361 et. seq..
- B. Any person who reports an alleged violation or files a complaint alleging a violation of this Ordinance, knowing that material information provided therein is not true or provides information in reckless disregard for the truth may be required to reimburse reasonable costs incurred by the City in investigating or responding to the allegations.

14.15 Violations

- A. Any person who believes that a City official has engaged in unethical conduct, in violation of this Ordinance or State law, can submit a written complaint to the Troy City Clerk, Troy City Manager, or Troy City Attorney.
- B. Within five days of receipt, the Troy City Clerk, Troy City Manager or Troy City Attorney will review the complaint and verify that there is procedural compliance with this Ordinance and jurisdiction over the matter and the individual identified in the Complaint, and if so, will forward a written notification of the suspected violation to the City official who allegedly violated the Ordinance and/or the proper investigating authority. This notification shall offer an opportunity to submit a written response to the allegations contained in the Complaint, and provide a deadline for any such response.
- C. When any person has a question or a complaint as to the applicability of any provision of this Ordinance to a particular situation, that question or complaint can also be submitted in writing to the Troy City Clerk, Troy City Manager, or Troy City Attorney.
- D. After the response deadline, the Troy City Clerk, Troy City Manager, or Troy City Attorney shall provide any complaint of a violation of this Ordinance or any

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request for an advisory opinion to the Troy City Council, in addition to all documentation submitted, including but not limited to any response.

- E. The Troy City Council, upon receipt or a request for an advisory opinion or a complaint that a City official engaged in unethical conduct, has the responsibility for determining the sufficiency of the complaint. To that end, the Troy City Council has all the following powers:
 - a. Refer the matter to an appropriate law enforcement agency or other authority authorized to act. If such action is taken, then the Troy City Council shall stay any further proceedings until there is a final adjudication.
 - b. Authorize the retention of an outside attorney to investigate the matter and make a recommendation to the Troy City Council.
 - c. Hold a public due process hearing where the City official will have the opportunity to refute the charges of unethical conduct. Any such hearing shall be held as quickly as possible, but not less than fourteen days after written notification of the due process hearing date. The alleged offending City official will have the ability to be represented by legal counsel at any such due process hearing.
 - d. Request assistance or opinion from Troy City Administration.
 - e. Issue an advisory opinion, either with or without identifying the named City official.
 - f. Provide guidance to the named City official.
 - g. Propose and monitor an ongoing program of education of City officials regarding ethical issues and concerns.
 - h. Declare no action is required.
 - i. Issue a written reprimand to the named City official.
 - j. Issue a formal censure to the named City official.
 - k. Pursue removal proceedings against the named City official. If it becomes necessary to seek the removal of a City official, the City Council shall follow the requirements for removal in accordance with the laws of the State of Michigan.
 - l. Impose any other authorized sanction on the offending City official.
- F. In addition to any action by the Troy City Council, a violation of this Ethics ordinance or a violation of State law may also be prosecuted by the appropriate law enforcement agency. Any violation of this Ordinance is a misdemeanor, punishable by imprisonment of up to 90 days and/or a fine of \$500, in the discretion of the Court.

(Rev. 10-25-2021; Eff. 11-04-2021)



CITY COUNCIL AGENDA ITEM

November 1, 2021

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
 Rob Maleszyk, Chief Financial Officer
 Lisa Burnham, Controller
 Emily Frontera, Purchasing Manager

Subject: Cooperative Purchasing Programs Resolution

History

- June 5, 2017 City Council reviewed and recommended participation in the following Cooperative Purchasing Programs to satisfy bid requirements when in the best interest of the City. (Resolution #2017-06-092)
 - MiDEAL – State of Michigan
 - Oakland County Extended Purchasing Program
 - Suburban Library Cooperative
 - REMC – Regional Media Center Association of Michigan
 - NJPA – National Joint Power Alliance (Sourcewell)
 - MiCTA – Michigan Collegiate Telecommunications Association
 - National IPA – National Intergovernmental Purchasing Alliance (OMNIA Partners)
 - NIGP – US Communities (OMNIA Partners)
- June 5, 2017 City Council also approved *Blanket Authorization(s)* to administratively approve purchases for operating supplies and services above the \$10,000 bid threshold obtained through an approved cooperative; except for those Capital (401 fund) purchases which shall be presented to Troy city council for review and approval. (Resolution #2017-06-093)
- Effective June 6, 2018 the National Joint Power Alliance (NJPA) is formally now known as Sourcewell. The NJPA Board of Directors voted to approve changing the organization's name to *Sourcewell*. Sourcewell will maintain and continue to recognize the NJPA name, agreements, contracts and agreements entered into with the National Joint Powers Alliance will remain valid and continue in effect without impact.
- August 27, 2018 City Council authorized and approved the continued use of the Sourcewell Purchasing Cooperative formerly known as National Joint Power Alliance Purchasing Program (NJPA). (Resolution #2018-08-12-J-4f)
- National IPA and NIGP – US Communities is now a part of OMNIA Partners.



CITY COUNCIL AGENDA ITEM

Financial

Funds are available in the various operating accounts citywide.

Recommendation

City Administration recommends the continued participation in the Cooperative Purchasing Programs (listed below) to satisfy bid requirements when in the best interest of the City. In addition, City Administration requests *Blanket Authorization* for the 2021-2022 Fiscal Year to administratively approve purchases for *operating* supplies and services above the \$10,000.00 limit obtained through an approved Cooperative; EXCEPT for those Capital (401 Fund) purchases which shall be presented to Troy City Council for review and approval.

- MiDEAL – State of Michigan
- Oakland County Extended Purchasing Program
- Suburban Library Cooperative
- REMC – Regional Media Center Association of Michigan
- NJPA – National Joint Power Alliance (Sourcewell)
- MiCTA – Michigan Collegiate Telecommunications Association
- National IPA – National Intergovernmental Purchasing Alliance (OMNIA Partners)
- NIGP – US Communities (OMNIA Partners)

**PROCLAMATION
AMERICA RECYCLES 2021**

WHEREAS, The world has changed a lot in the past century. From individually packaged food servings to disposable diapers, more garbage is generated now than ever before. The average American discards 7.5 pounds of garbage every day. Our garbage, our solid waste stream, all goes to landfills, where it's compacted and buried; and

WHEREAS, To focus the nation's attention on the importance of recycling, businesses, industries, government agencies, nonprofit organizations, and individuals have joined together to celebrate **America Recycles 2021** and are encouraging their employees, staff, customers, membership, and all citizens to pledge to buy more recycled-content products starting today; and

WHEREAS, Participating in **America Recycles 2021** is one way our citizens can help raise awareness about the need to reduce waste by reusing, recycling and buying recycled products; and

WHEREAS, The more we recycle, the less garbage winds up in our landfills and incineration plants. By reusing aluminum, paper, glass, plastics and other materials, we can save production and energy costs, and reduce by up to 75% the negative impacts that the extraction and processing of virgin materials has on the environment. Plastics, made from precious and nonrenewable petroleum, and aluminum, which is mined from bauxite, are especially important to recycle; and

WHEREAS, Recycling helps protect our resources, our environment, and our quality of life. The entire loop: **Reduce, Reuse, Recycle** is completed when we buy products made from recycled material; and

WHEREAS, From July 2019 to June 2021, the City of Troy recycled 6,105 tons of glass, paperboard, cardboard, newspaper, metal, tin, and plastic and 10,653 tons of compost; and

WHEREAS, State and community leaders need to spread the word about the excellent programs they have established, the growth of markets for recyclable materials, and the importance of buying recycled products;

NOW, THEREFORE BE IT RESOLVED, that the City of Troy City Council hereby proclaims **America Recycles 2021** in Troy, Michigan, and urges all Troy residents to **Reduce, Reuse and Recycle**;

BE IT FURTHER RESOLVED, That **America Recycles 2021** is celebrated year-round to encourage people to recycle and buy products made from recycled materials. The theme for **America Recycles 2021** is **"I Want to Be Recycled."**

Presented this 8th day of November 2021.

**PROCLAMATION
LUNG CANCER AWARENESS MONTH
NOVEMBER 2021**

WHEREAS, Lung cancer was the leading cause of cancer death among men and women in the United States in 2020, accounting for more deaths than colon cancer, breast cancer, and prostate cancer combined. Over 2.2 million people worldwide will get lung cancer annually; and

WHEREAS, According to the Centers for Disease Control and Prevention, there were 5,164 new lung cancer cases and 2,772 deaths because of lung cancer between 2014 and 2018 in Oakland County; and

WHEREAS, The five-year survival rate for localized lung cancer is approximately 59%, yet only approximately 17% of lung cancers are diagnosed at this stage; and

WHEREAS, Screening for lung cancer for high-risk individuals using low-dose computed tomography can lead to the earlier detection of lung cancer and save lives, reducing the mortality by 20% when compared to screening by chest x-ray in the National Lung Screening Trial (3) and reducing the risk of death at 10 years by 24% in men and 33% in women as demonstrated by another large randomized trial; and

WHEREAS, Funding for lung cancer research trails far behind funding for research of many other cancers, and additional research is needed in early diagnosis, screening, and treatment for lung cancer as well as in lung cancer affecting women and lung cancer health disparities; and

WHEREAS, Women diagnosed with lung cancer are more likely to be younger and non-smokers, lung cancer incidence and mortality rates in women are rising relative to men, more women die from lung cancer than breast cancer every year and by 2035, it is expected that more women will die from lung cancer than men; and

WHEREAS, Organizations working in the Troy community, such as Beaumont Hospital Troy's Cancer Center, the American Lung Cancer Screening Initiative, and the Women's Lung Cancer Forum are committed to educating about lung cancer and lung cancer screening and working to increase lung cancer screening rates in Troy;

NOW THEREFORE BE IT RESOLVED, That the Troy City Council do hereby proclaim **November as Lung Cancer Awareness Month in Troy**, and recognize the need for research in lung cancer affecting women and lung cancer health disparities, and encourage all citizens, to learn about lung cancer and early detection through lung cancer screening.

Presented this 8th Day of November 2021



500 West Big Beaver
Troy, MI 48084
troymi.gov

I-05

CITY COUNCIL AGENDA ITEM

Date: November 1, 2021

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
Lisa Burnham, Controller
Brian Goul, Recreation Director
Emily Frontera, Purchasing Manager

Subject: Bid Waiver – Bus Transportation Services

History

- The City of Troy has used the Troy School District buses for transportation services for 23 years.
- In 2011 the School District privatized their bus services and secured a contract with First Student.
- First Student has been used by the City since then for transportation for field trips, for programs and for the ski program.
- This agreement has been very successful for both parties.
- On December 4, 2017, Troy City Council approved a two (2) year contract for Bus Transportation Services, with an option to renew for two (2) additional years based on mutual consent of both parties with *First Student of Chicago, IL*; contract expiring December 31, 2019 (Resolution #2017-12-192-J-5).
- November 11, 2019 City Council approved a two (2) year extension of the contract under the same terms and conditions as the original bid, contract expiring December 31, 2021, (Resolution #2019-11-133-J-6).
- In 2019, the City spent nearly \$25,000 on bus services for the Recreation Department Programs.

Purchasing

The market was surveyed and is summarized below. First Student is able to provide bus services at a considerable savings compared to private companies and also does not require a service fee. Other companies require 24-hour notice and charge \$100 service fee to cancel a bus.

<u>Company</u>	<u>Fees</u>	<u>Day of Cancellation Policy</u>
First Student	\$57.75/hr	No fee
Trinity Bus Service	\$75/hr	\$100 cancellation fee
Servicar	\$85/hr	No refunds, must pay all fees

First Student has done an excellent job providing bus transportation services in the past and has met all contract terms and conditions. First Student has also expressed an interest in continuing to provide bus transportation services for the City under the following terms and conditions: the original bid was \$57/hr., but fees have increased to \$57.75/hr. It is in the best interest of the City to waive the bid process and renew the contract with First Student for two (2) additional years under the new terms and conditions at \$57.75 per hour.



500 West Big Beaver
Troy, MI 48084
troymi.gov

CITY COUNCIL AGENDA ITEM

Financial

Funds are available in the various Recreation operating accounts and is paid entirely through user fees.

Recommendation

City management recommends it is in the best interest of the City to waive the bid process and renew the contract with *First Student of Chicago, IL* for Bus Transportation Services for the City of Troy Recreation Department Programs under the new terms and conditions for two (2) additional years at \$57.75 per hour.

Council Member Chamberlain-Creanga 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, October 25, 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-Creanga
- Ann Erickson Gault
- David Hamilton
- Ellen Hodorek

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 Proclamation to Celebrate Filipino American Heritage Month – October 2021
(Presented by: Mayor Ethan Baker)

C-2 Proclamation to Recognize Hindu Heritage Month and the Celebration of Diwali – The Festival of Lights – November 4, 2021 (Presented by: Mayor Ethan Baker)

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 No Public Hearings

Resolution to Waive Rule 5b, Regular Meeting Order of Business, of the Council Rules of Procedure

Resolution #2021-10-149
Moved by Baker
Seconded by Abraham

RESOLVED, That Troy City Council hereby **WAIVES** Rule 5b, Regular Meeting Order of Business, of the Council Rules of Procedure, to move Agenda Item I-5 Parks and Recreation Advisory Board Recommendation for Naming of the Park Located on Town Center Adjacent to the Community Center to be considered next on the Agenda.

Yes: All-7
No: None

MOTION CARRIED

I-5 Parks and Recreation Advisory Board Recommendation for Naming of the Park Located on Town Center Adjacent to the Community Center (Introduced by: Kurt Bovensiepe, Public Work Director)

Resolution #2021-10-150
Moved by Hodorek
Seconded by Hamilton

RESOLVED, That Troy City Council hereby **NAMES** the park located on Town Center, adjacent to the Community Center in Section 23, the "Jeanne M. Stine Community Park".

Yes: All-7
No: None

MOTION CARRIED

The Meeting **RECESSED** at 7:50 PM.

The Meeting **RECONVENED** at 8:00 PM.

F. PUBLIC COMMENT:

Namratha Sandadi	Commented in support of Hindu Americans, and against recent comments made against Hindus
Geeta Venkatesh	Commented in support of HSS programs for youth and the community
Shreesha Krishna	Commented in support of Hindu Americans and against recent comments made against Hindus
Saylee Nitin	Commented in support of Hindu Americans and against recent comments made against Hindus
Lalit Sethi	Commented in support of HSS, and Hindu Americans, and against recent comments made against Hindus
Ollie Apahidean	Commented against child pornography in Troy Public Library
Ganesh Reddy	Commented in support of HSS and Hindu Americans, and against recent comments made against Hindus
Harsha Krishna	Commented in support of Hindu Americans, and against recent comments made against Hindus
Andrew Sosnoski	Commented against pornography in Troy Public Library, and requested an investigation

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

Council Member Abraham	Commented that she loves the diversity in Troy. She said that she is also the daughter of immigrants, and understands that experience. She said that she supports the community and the Hindu community members. She appreciates the civility of the speakers today. She said that while the First Amendment protects the speech of speakers at Council Meetings, the rest of us can rise above that hateful speech.
Council Member Erickson Gault	Commented that speakers have the right to freedom of speech; however, the Council Rules regarding Public Comment prohibit disparaging remarks about a group. She said that Council could try to do a better job to stop slanderous comments in the future.
Council Member Hodorek	Commented that she hopes that the comments made at a past Council meeting will not damage the spirit of the Hindu residents in Troy, and she hopes that we can move forward together in unity.
Mayor Pro Tem Brooks	Thanked all the residents who are at this meeting, and who spoke during Public Comment. She said that she understands how hurtful comments based on race and background can be. She said that she understands the pain felt by the Hindu community because of comments made at a previous meeting. She said that she and the rest of Council supports the members of our community.
Mayor Baker	Asked City Manager Miller to discuss with Mr. Apahidean the proper procedure for challenging a book in the Troy Public Library. He said that comments made during Public Comment cannot be anticipated, and sometimes hurtful comments are said by speakers. He said that everyone in this community is valuable to the makeup of Troy. He said that there is a section of the Rules that prohibits disparaging comments, but fact-checking and preventing comments is impossible in real-time. He asked the community as a whole to be mindful to not use disparaging comments, and to try to keep our meetings civil.

The Meeting **RECESSED** at 8:53 PM.

The Meeting **RECONVENED** at 8:59 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 – Global Troy Advisory Committee, Local Development Finance Authority; b) City Council Nominations – None

a) Mayoral Nominations:

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:

Global Troy Advisory Committee

Appointed by Mayor

12 Regular Members

3 Year Term

Nominations to the Global Troy Advisory Authority:

Unexpired Term Expiring:
10/30/2022

Edward Chezick

Term currently held by: Vacancy - Kaitlin Hao resigned 8/20/21

Motion to Amend Item I-2a Mayoral Nominations to Include Additional Nominations

Resolution #2021-10-151

Moved by Baker

Seconded by Chamberlain-Creanga

RESOLVED, That Troy City Council hereby **AMENDS** *Item I-02a Mayoral Nominations* to include the following nominated person(s) to serve on the Boards and Committees as indicated to the next Regular City Council Meeting for action:

Term Expires: 10/30/2024	Awni Fakhoury
	Term currently held by: Awni Fakhoury
Term Expires: 10/30/2024	Syeda Mohideen
	Term currently held by: Syeda Mohideen
Term Expires: 10/30/2024	Suneel Sekhri
	Term currently held by: Suneel Sekhri

Yes: All-7

No: None

MOTION CARRIED

Resolution to Approve Item I-2a Mayoral Nominations as Amended

Resolution #2021-10-152

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:

Global Troy Advisory Committee

Appointed by Mayor

12 Regular Members

3 Year Term

Nominations to the Global Troy Advisory Authority:

Unexpired Term Expiring: 10/30/2022	Edward Chezick
	Term currently held by: Vacancy - Kaitlin Hao resigned 8/20/21
Term Expires: 10/30/2024	Awni Fakhoury
	Term currently held by: Awni Fakhoury
Term Expires: 10/30/2024	Syeda Mohideen
	Term currently held by: Syeda Mohideen
Term Expires: 10/30/2024	Suneel Sekhri
	Term currently held by: Suneel Sekhri

Yes: All-7
No: None

MOTION CARRIED

Resolution #2021-10-153
Moved by Baker
Seconded by Abraham

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:

Local Development Finance Authority (LDFA)

Appointed by Mayor
5 Regular Members
Staggered 4 Year Term

Nominations to the Local Development Finance Authority (LDFA):

**Term Expires: Oakland
County Representative**

Louis Starks

**Oakland County
Representative**

Term currently held by: Daniel Hunter

Yes: All-7
No: None

MOTION CARRIED

b) **City Council Nominations: None**

I-3 No Closed Session Requested

I-4 Proposed New Ethics Ordinance for Elected and Appointed Officials (Introduced by: Lori Grigg Bluhm, City Attorney)

Resolution #2021-10-154
Moved by Baker
Seconded by Erickson Gault

BE IT RESOLVED, That Troy City Council hereby **APPROVES** and **ENACTS** Chapter 14A - City of Troy Elected and Appointed Persons Ethics Ordinance, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** and **ADOPTS** revisions to Sections B, C, and D of Chapter 14 – City of Troy Officer and Employee Public Disclosure Enforcement Ordinance, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7
No: None

MOTION CARRIED

I-6 Bid Waiver – Hurst StrongArm Rescue Tools – Fire Department (Introduced by: Chuck Riesterer, Fire Chief)

Resolution #2021-10-155
Moved by Erickson Gault
Seconded by Hamilton

RESOLVED, That in the best interest of the City, Troy City Council hereby **WAIVES** the formal bid process and **AWARDS** a contract to purchase six (6) sets of Hurst StrongArm Rescue tools from the only authorized distributor for Hurst equipment in Southeastern Michigan, *Apollo Fire Equipment Company of Romeo, MI*, for an estimated total cost of \$40,200.00.

Yes: All-7
No: None

MOTION CARRIED

J. CONSENT AGENDA:

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

Resolution #2021-10-156-J-1a
Moved by Abraham
Seconded by Hodorek

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 #2021-10-156-J-2

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

- a) City Council Minutes-Draft – October 11, 2021

J-3 Proposed City of Troy Proclamations:

Resolution #2021-10-156-J-3

- a) Proclamation for America Recycles 2021
- b) Proclamation for Lung Cancer Awareness Month – November 2021

J-4 Standard Purchasing Resolutions: None Submitted

J-5 Request for Acceptance of a Warranty Deed and Four Permanent Easements for Estates at Willowbrook No. 2 Site Condominium, Section 24, Sidwell #88-20-24-100-013 and -014

Resolution #2021-10-156-J-5

RESOLVED, That Troy City Council **ACCEPTS** a warranty deed for street right-of-way and four permanent easements for public utilities, storm sewers & surface drainage, and sanitary sewers from Langham Investments, LLC, owner of the properties having Sidwell #88-20-24-100-013 and -014.

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

J-6 Request for Acceptance of a Permanent Easement from Bevan and Ann Marie Perkowski, Sidwell #88-20-15-352-040

Resolution #2021-10-156-J-6

RESOLVED, That Troy City Council hereby **ACCEPTS** a permanent easement for storm sewers and surface drainage from Bevan and Ann Marie Perkowski, owners of the property having Sidwell #88-20-15-352-040.

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

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) Global Troy Advisory Committee-Final – September 9, 2021
Noted and Filed
-

M-2 Department Reports:

- a) Application to De-List 54 E. Square Lake Road
Noted and Filed
-

M-3 Letters of Appreciation: None Submitted

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

M-5 Notice of Hearing for the Customers of Consumers Energy Company – Case No. U-21131

Noted and Filed

N. COUNCIL COMMENTS:

N-1 Council Comments

Council Member Hamilton congratulated Mayor Baker and Council Member Chamberlain-Creanga for their times at the Frightful 5k. He thanked all the City staff who helped put the event together.

Council Member Hamilton thanked the Council and City Administration for everything during his time on City Council, and he said he has been honored to serve the City of Troy.

Council Member Chamberlain-Creanga thanked the City staff who worked to put together the Frightful 5k.

Council Member Chamberlain-Creanga thanked City Administration, fellow City Council Members, and the residents for the honor of serving the City.

Mayor Pro Tem Brooks announced the Nature Center Uncorked fundraiser event on Friday, November 5, 2021 at 6:00 PM at the Troy Community Center. She encourages everyone to

purchase their tickets online by October 29th because the prices increase if purchasing them at the door.

Mayor Pro Tem Brooks said it has been an honor to serve as Mayor Pro Tem for the past year.

Council Member Hodorek commented that she participated in the Joint Local Development Finance Authority meeting today, and on the important work that goes on at Automation Alley in Troy.

Mayor Baker reminded residents that the City General Election will be held on Tuesday, November 2, 2021, and polls will be open from 7:00 AM–8:00 PM. City Clerk Dickson said the City Clerk's Office will be open on Saturday, October 30, 2021, from 8:00 AM to 4:00 PM for absentee voting.

Mayor Baker commented on the Troy Chamber "Your City, Your County, Your State and You" event held on Friday morning. He said it was a panel discussion moderated by Christy McDonald, and the link is available on the City's YouTube page.

Mayor Baker thanked City staff who worked so hard to make The Frightful 5K a success with the biggest turnout to date.

O. CLOSED SESSION

O-1 No Closed Session

P. ADJOURNMENT:

The Meeting **ADJOURNED** at 9:42 PM.

Mayor Ethan Baker

M. Aileen Dickson, MMC, MiPMC II
City Clerk

2021 SCHEDULED SPECIAL CITY COUNCIL MEETINGS:

November 13, 2021 Special (Strategic Planning)

2021 SCHEDULED REGULAR CITY COUNCIL MEETINGS:

November 8, 2021 Regular Meeting

November 22, 2021 Regular Meeting

December 6, 2021 Regular Meeting

December 13, 2021 Regular Meeting

**PROCLAMATION
SMALL BUSINESS SATURDAY TO SATURDAY
NOVEMBER 27 – DECEMBER 4, 2021**

WHEREAS, The City of Troy celebrates our local small businesses and the contributions they make to our local economy and community. According to the United States Small Business Administration, there are currently 30.7 million small businesses in the United States, representing more than 99.7% of all firms with paid employees in the United States, responsible for 64.9% of net new jobs created from 2000 to 2019; and

WHEREAS, Small businesses employ 47.1% of the employees in the private sector in the United States, 88% of U.S. consumers feel a personal commitment to support small businesses in the wake of the pandemic, and 92% of small business owners have pivoted the way they do business to stay open during the pandemic; and

WHEREAS, 97% of consumers who shopped on **Small Business Saturday®** agree that shopping at small, independently-owned businesses supports their commitment to making purchases that have a positive social, economic, and environmental impact and 97% of consumers who shopped on **Small Business Saturday** agree that small businesses are essential to their community by supplying jobs and generating tax revenue; and

WHEREAS, 56% of shoppers reported they shopped online with a small business on Small Business Saturday in 2020; and more than 50% of consumers who reported shopping small endorsed a local business on social media or shopped at a local business because of a social media recommendation; and

WHEREAS, The City of Troy and the Troy Chamber of Commerce support our local businesses that create jobs, boost our local economy, preserve our neighborhoods, and are critical to the overall health of the United States; and

WHEREAS, Advocacy groups as well as public and private organizations across the country have endorsed the **Saturday after Thanksgiving as Small Business Saturday**; and

WHEREAS, Oakland County is advocating that we champion **Small Business Saturday to Saturday** sponsoring local business participation within our community;

NOW, THEREFORE BE IT RESOLVED, that the City of Troy City Council hereby proclaims **Saturday, November 27 to Saturday, December 4, 2021** as **Small Business Saturday to Saturday in Troy, Michigan**; and

BE IT FURTHER RESOLVED, That the City of Troy and the Troy Chamber of Commerce urge the residents of our community, and communities across the country, to support small businesses and merchants on **Small Business Saturday to Saturday** and throughout the year.

Presented this 22nd day of November 2021.



CITY COUNCIL AGENDA ITEM

Date: October 27, 2021

To: Mark Miller, City Manager

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

Subject: Standard Purchasing Resolution 4 – Cooperative Purchasing Contract – Troy Public Library – Digital Services and Community Engagement Offices

History

- In order to meet increasing community demands, the Troy Public Library made several staff and area changes in FY2022. These changes are necessary to keep up with evolving library services.
- The Library expanded its Digital Services Department from five to seven, by adding one full-time and one part-time librarian.
- The Digital Services Department is responsible for maintaining and promoting the Library's collection of downloadable ebooks, audiobooks, streaming movies, and streaming music. Area staff teach the public about electronic resources, uses of social media, and trends in information technology. The staff also help troubleshoot the public's computer and device hardware and software issues.
- During the pandemic, the demands on the Library's Digital Services Department grew greatly, particularly in the areas of downloadable ebooks and audiobooks. Downloadable and streaming media now make up nearly 25% of the Library's circulation. We anticipate that this demand will grow.
- In addition, this year, the Library created a Community Engagement Department, which currently houses three staff members: a full-time librarian, a part-time librarian, and a part-time library aide.
- The Community Engagement Department takes the Library into the community, by providing outreach services to patrons who are unable to use the Library due to disability, permanent illness, or lack of transportation. It partners with businesses, community groups, senior citizen organizations, and schools to provide programming and services to patrons who may be unaware of what their library has to offer.
- The growth of the Digital Services and Community Engagement Departments is essential to keep the Troy Public Library vital to the community.



CITY COUNCIL AGENDA ITEM

History (continued)

- Due to the age and floor plan of the building, the Library is short of staff offices and work areas. Currently, the Library has no space to house either the Digital Services Department or the Community Engagement Department
- In order to allow for an increase in staff, the Library needs more office space.
- Library Administration has consulted with Library Design Associates about creating offices for five staff members using the Trendway Volo Movable Wall system. This system is well-constructed, modern looking, and easily assembled. Most importantly, the walls are portable, so they can be reused in future Library renovations. This system is used in many area libraries, to customer satisfaction. These five new offices will be housed in the Library's existing Technology Center.

Purchasing

- Pricing to furnish and install five new office work stations, including furniture and partition walls for the Library's Digital Services and Community Engagement Departments was received by *Library Design Associates, Inc., of Plymouth, MI* as detailed in the attached quote dated 10/14/2021 and as per the OMNIA Partners Cooperative Purchasing Contract #R191817 for a total estimated cost of \$72,298.
- City Council authorized participation in the Cooperative Purchasing Program on November 9, 2020 (Resolution #2020-11-165-J-8)
- LDA has completed several projects for the Library, including the installation of new carpeting throughout the building in 2018-2019, and the company is supplying the furniture of the Library's renovated Administration area. In all these projects, the work of LDA has been satisfactory and completed on time.
- The City's Facilities Department will be responsible for electricity and communication terminations.

Financial

- Funds for this project are budgeted and available in the Library Buildings and Improvements General Repairs Capital Fund under Project Number 2022C0071 for FY2022. Expenditures will be charged to account number 401.790.7975.900.

Recommendation

City Management recommends in the best interest of the City, to waive the bid process and award a contract for the purchase and installation of offices, and office furniture, to *Library Design Associates of Plymouth, MI*, for an estimated cost of \$72,298 as per the Omnia Partners Cooperative Purchasing Contract #R191817. City Management also recommends including a 10% contingency in the amount of \$7,229, for a not to exceed project total cost of \$79,527.



**LIBRARY
DESIGN
ASSOCIATES
INC.**

1149 South Main Street
Plymouth, Michigan 48170-2213

Telephone: (734) 459-5000

PROPOSAL

Date
Proposal No. 10/14/21
Page P-33419

1

To

Troy Public Library
Attn: Emily Dumas, Director
E: emily.dumas@troymi.gov

Item	Qty.	Catalog No.	Description	Unit Price	Total
1	1	Trendway	<p>In accord with our recent meeting, we are pleased to provide the following budget planning proposal, for your consideration:</p> <p>All pricing below includes material, freight and installation by LDA authorized personnel - Trendway pricing is provided at the Omnia State Contract discount schedule.</p> <p>Staff Work Rooms: Trendway Volo demountable partition wall totaling approximately 80 linear feet of glass and laminate wall panels with (3) hinging doors.</p>	69,448.00	69,448.00
2	1	LDA	<p>Includes allowance for (5) workstations with re-use of existing staff task chairs, new overhead hutches, (2) pedestals, and other misc. furniture/shelving components as shown on the plan.</p> <p>Staff Work Rooms: Labor and material to install (5) individual manual light filtering solar shades to the existing building windows. Final shade and fascia colors to be reviewed prior to order placement.</p>	2,850.00	2,850.00

We propose to furnish the material specified above at the prices quoted under the conditions stated here.
Deliveries are subject to delays from fire, strikes or other causes beyond our control.

Delivery F.O.B.

By Library Design Associates, Inc.

To order the items listed, sign and return, signifying your acceptance.

Accepted by/Title/Date



**LIBRARY
DESIGN
ASSOCIATES
INC.**

1149 South Main Street
Plymouth, Michigan 48170-2213

Telephone: (734) 459-5000

PROPOSAL

Date
Proposal No. 10/14/21
Page P-33419
2

To

Troy Public Library
Attn: Emily Dumas, Director
E: emily.dumas@troymi.gov

Item	Qty.	Catalog No.	Description	Unit Price	Total
			<p>NOTES:</p> <p>a) Payment terms are NET-30 days.</p> <p>b) Pricing is good for 30-days and subject to reconfirmation thereafter.</p> <p>c) All final finishes and designs will need to be reviewed and approved by LDA and Library staff prior to final order placement.</p> <p>d) Pricing does not include any changes to electrical, lighting, HVAC, sprinklers or flooring to allow for the installation of these walls. These services can be provided by LDA if needed, and all work will have to be coordinated to maintain ADA compliance and building code.</p> <p>e) Pricing is based on the the drawings dated 10/6/2021 for budgetary purposes, final detail drawings with all required finishes and dimensions will be provided prior to final budget and order placement.</p>		
			Total		\$72,298.00

We propose to furnish the material specified above at the prices quoted under the conditions stated here.
Deliveries are subject to delays from fire, strikes or other causes beyond our control.

Delivered and Installed
Delivery F.O.B.

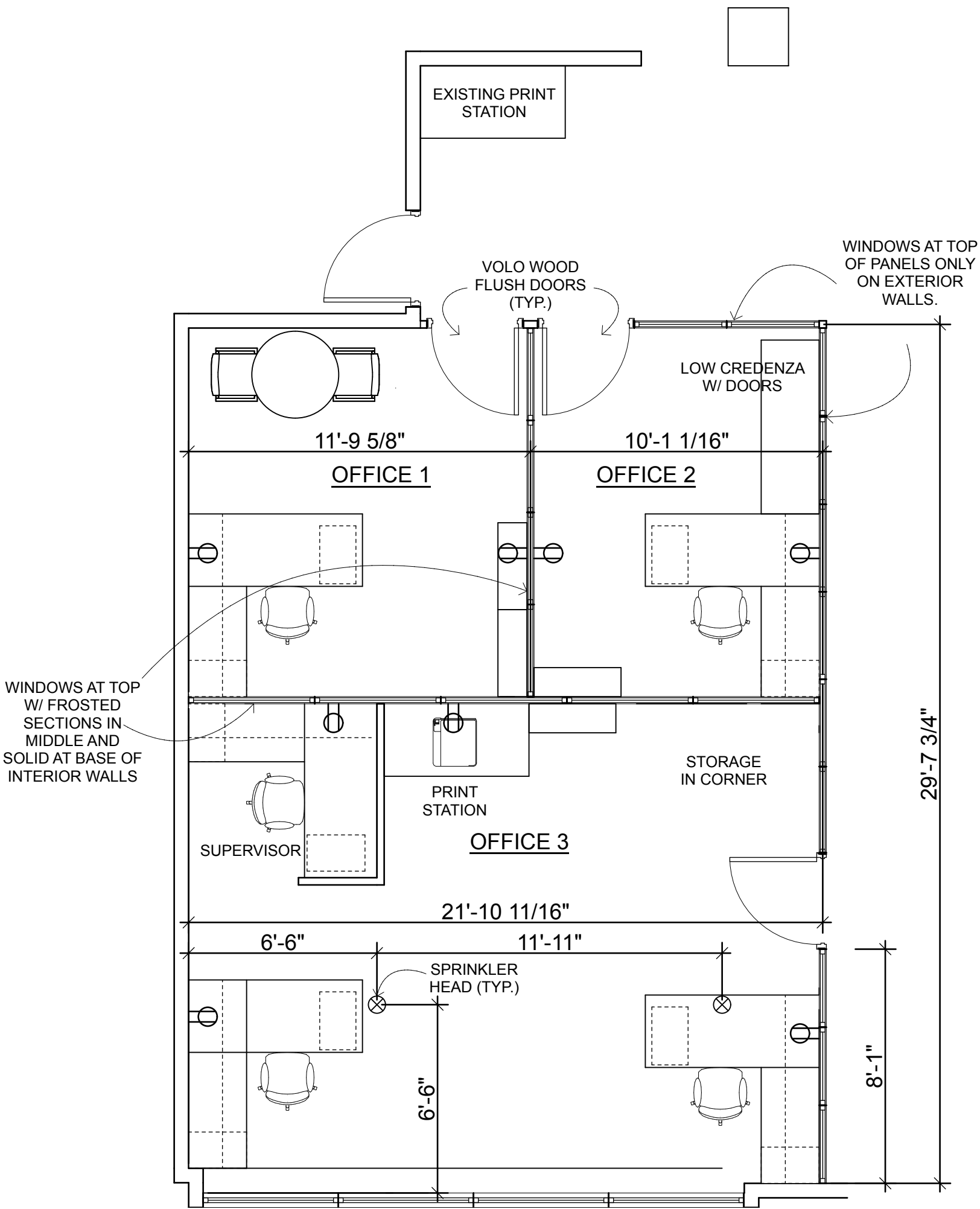
Kyle Haning
By Library Design Associates, Inc.

To order the items listed, sign and return, signifying your acceptance.

Accepted by/Title/Date

TROY PUBLIC LIBRARY
STAFF WORK ROOMS

OCTOBER 6, 2021



SCALE: 1/4" = 1'



500 West Big Beaver
Troy, MI 48084
troymi.gov

J-04b

CITY COUNCIL AGENDA ITEM

Date: November 1, 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: MiDeal Cooperative Purchasing Agreement – DPW Fleet Pickup Trucks

History

- The ten (10) vehicles being purchased are planned replacement pickup trucks used by the Department of Public Works.
- Ten (10) vehicles will be removed from service and sold at auction with estimated proceeds of \$50,000.
- This purchase replaces existing vehicles and does not increase the size of the existing Department of Public Works motor pool fleet.

Purchasing

- *Gorno Ford of Woodhaven, MI* is the total low bidder in the State of Michigan Cooperative Bid. The MiDeal Contract (ID # 071B7700181) pricing is valid thru November 30, 2022 for Ford vehicles - passenger, patrol, trucks and vans.
- City Council authorized participation in the Cooperative Purchasing Programs on November 9, 2020 (Resolution#2020-11-165-J-8)
- 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 three (3) obsolete vehicles on GovDeals.com site for optimal trade-in value.

Financial

Funds are available and budgeted in the Public Works Fleet Division Capital Fund under project numbers 2022C0111, 2022C0124, 2022C0125, 2022C0126 and 2022C0127 for the 2022 Fiscal Year. Expenditures will be charged to account number 661.549.565.7981.

	<u>Unit Cost</u>	<u>Estimated Total</u>	<u>Project#</u>
(1) Ford F150 Pickup	\$26,065.00	\$26,065.00	2022C0111
(3) Ford F150 Super Cab Pickup	\$28,272.00	\$84,816.00	2022C0124
(3) Ford F150 Pickup	\$26,065.00	\$78,195.00	2022C0125
(1) Ford F150 Pickup	\$26,065.00	\$26,065.00	2022C0126
(2) Ford Ranger Pickup	\$24,145.00	<u>\$48,290.00</u>	2022C0127

Grand Total **\$263,431.00**



500 West Big Beaver
Troy, MI 48084
troymi.gov

CITY COUNCIL AGENDA ITEM

Recommendation

City management requests authorization to purchase ten (10) 2022 Ford Pickup Trucks from *Gorno Ford of Woodhaven, MI* for the Department of Public Works as per the MiDeal Cooperative Purchasing contract #071B7700181 for an estimated total cost of \$263,431.00.



Ford F150 Regular Cab



Ford Ranger



Ford F150 Super Cab



CITY COUNCIL AGENDA ITEM

Date: November 3, 2021

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
Rob Maleszyk, Chief Financial Officer
Lisa Burnham, Controller
Emily Frontera, Purchasing Manager
Gert Paraskevin, Information Technology

Subject: Standard Purchasing Resolution 4: Sourcwell Purchasing Cooperative – Server Replacements

History

In 2015, the two VMWare hosts located at the Community Center and the Department of Public Works were purchased to replace the aging servers in place at the time. These servers are used to provide domain authentication, file and print services locally to those buildings and in addition they support applications specific to those departments.

The servers are now six years old going into their seventh year. Our standard refresh for servers is approximately every 7 years. Newer products contain improvements that make them faster, more reliable, and more efficient. In addition, maintenance costs begin to increase after 5 years. We purchased the maximum 5-year maintenance at a discounted rate, but as the server ages and becomes obsolete maintenance increases.

Purchasing

- The City is proposing to purchase two (2) new Hewlett Packard DL360 servers and maintenance from CDW-G of Chicago, IL based on Sourcwell’s Cooperative Purchasing Contract #081419-CDW for technology goods and services as outlined on the attached quote.
- City Council authorized participation in the Cooperative Purchasing Program on November 9, 2020 (Resolution #2020-11-165-J-8).

Financial

Funds are available in the Information Technology Capital budget. The Project # is 2022C0075.

Recommendation

City Management requests authorization to purchase two (2) new Hewlett Packard DL360 servers including hardware and five (5) years of maintenance, from *CDW-G of Chicago, IL* as outlined on the attached quote through the Sourcwell Purchasing Contact #081419-CDW for an estimated total cost of \$20,656.06.

QUOTE CONFIRMATION



DEAR GERTRUDE PARASKEVIN,

Thank you for considering CDW•G LLC for your computing needs. The details of your quote are below.
[Click here](#) to convert your quote to an order.

QUOTE #	QUOTE DATE	QUOTE REFERENCE	CUSTOMER #	GRAND TOTAL
MKRQ161	10/12/2021	HPE SERVERS	3194628	\$20,656.06

QUOTE DETAILS				
ITEM	QTY	CDW#	UNIT PRICE	EXT. PRICE
HPE ProLiant DL360 Gen10 - rack-mountable - Xeon Gold 6234 3.3 GHz - 32 GB Mfg. Part#: P19179-B21 Contract: Sourcewell 081419-CDW Tech Catalog (081419#CDW)	2	6424475	\$5,346.77	\$10,693.54
HPE Enterprise - hard drive - 1.8 TB - SAS 12Gb s Mfg. Part#: 872481-B21 Contract: Sourcewell 081419-CDW Tech Catalog (081419#CDW)	6	6424547	\$445.36	\$2,672.16
HPE - power supply - hot-plug - 800 Watt - 908 VA Mfg. Part#: 865414-B21 Contract: Sourcewell 081419-CDW Tech Catalog (081419#CDW)	2	6457203	\$160.26	\$320.52
HPE Integrated Lights-Out Advanced - license + 1 Year 24x7 Support - 1 lice Mfg. Part#: E6U59ABE UNSPSC: 43232804 Electronic distribution - NO MEDIA Contract: Sourcewell 081419-CDW Tech Catalog - Software (081419-CDW)	2	3427386	\$219.26	\$438.52
HPE Enterprise - hard drive - 300 GB - SAS 12Gb s Mfg. Part#: 872475-B21 Contract: Sourcewell 081419-CDW Tech Catalog (081419#CDW)	6	6424544	\$122.76	\$736.56
HPE Pointnext Tech Care Basic Service with Defective Media Retention - exte Mfg. Part#: HS7W4E = Electronic distribution - NO MEDIA Contract: Sourcewell 081419-CDW Tech Catalog (081419#CDW)	2	6499193	\$2,379.98	\$4,759.96
HPE - SFP+ transceiver module - 10 GigE Mfg. Part#: 455883-B21 Contract: Sourcewell 081419-CDW Tech Catalog (081419#CDW)	2	6424363	\$517.40	\$1,034.80

PURCHASER BILLING INFO		SUBTOTAL	\$20,656.06
Billing Address: CITY OF TROY ACCTS PAYABLE 500 W BIG BEAVER RD TROY, MI 48084-5285 Phone: (248) 524-3300 Payment Terms: Net 30 Days-Govt State/Local		SHIPPING	\$0.00
		SALES TAX	\$0.00
		GRAND TOTAL	\$20,656.06



500 West Big Beaver
Troy, MI 48084
troymi.gov

J-05

CITY COUNCIL AGENDA ITEM

Date: November 2, 2021

To: Honorable Mayor and City Council Members

From: Lori Grigg Bluhm, City Attorney
Allan T. Motzny, Assistant City Attorney

Subject: Tennille Viau v. the Troy Police Department et. al.

Attached is a copy of a lawsuit filed by Plaintiff Tennille Viau against the City of Troy Police Department and one of its officers, the FBI, and an unnamed person identified as John Doe. This case was filed in the U.S. District Court for the Eastern District of Michigan, and assigned to federal Judge Victoria A. Roberts. As Council may recall, the Plaintiff, Ms. Viau, recently filed a separate lawsuit against the City on behalf of her ten-year-old daughter claiming discrimination in how her daughter was treated at a summer soccer camp in 2019. In that lawsuit, Ms. Viau is represented by an attorney. In this new lawsuit, she is representing herself.

In this new lawsuit, Ms. Viau complains about Troy Police officers coming to her home uninvited on one occasion and she also complains the Troy Police failed to follow up and investigate a report she had made in April 2021 regarding an incident that occurred in August 2019 in Glenn Arbor, Michigan. It is not very clear as to what Ms. Viau believes is the legal basis for the complaint, and for this reason, the Court entered an order before any of the Defendants were required to respond to the complaint that requires Ms. Viau to file an amended complaint by November 5, 2021. A copy of that order is attached. Assuming, Ms. Viau files and serves an amended complaint, our Office plans to file a responsive pleading, which may be a motion to dismiss.

The proposed resolution authorizes the City Attorney's Office to represent the City's interests. Please let us know if you have any questions or concerns.

UNITED STATES DISTRICT COURT

for the
Eastern District of Michigan

Tennille Viau

Plaintiff,

v.

Greg Pokley, et al

Defendant.

Civil Action No. 2:21-cv-12313-VAR-DRG

Hon. Judge Victoria A. Roberts

SUMMONS IN A CIVIL ACTION

To: Troy Police Department

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Tennille Viau
3974 Highland Dr.
Troy MI, 48083

If you fail to respond, judgment by default may be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

KINIKIA D. ESSIX, CLERK OF COURT

By: s/R. Loury
Signature of Clerk or Deputy Clerk

Date of Issuance: October 13, 2021



MIED ProSe 1 (Rev 5/16) Complaint for a Civil Case

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN

Tennille Viau

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

v.

Officer Greg Pokley, Troy Police Department, John Doe,
Jane Doe, Federal Bureau of Investigation Detroit Field
Office

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No.

(to be filled in by the Clerk's Office)

Jury Trial: ☒ Yes ☐ No
(check one)

Complaint for a Civil Case

 MIED ProSe 1 (Rev 5/16) Complaint for a Civil Case

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Tennille Viau
Street Address	3974 Highland Dr
City and County	Troy
State and Zip Code	MI 48083
Telephone Number	248 250 6056
E-mail Address	tsvc12@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	Officer Greg Pokley
Job or Title (if known)	Officer
Street Address	500 W. Big Beaver
City and County	Troy, Oakland
State and Zip Code	MI 48084
Telephone Number	248 680 7223
E-mail Address (if known)	

Defendant No. 2

Name	Troy Police Department
Job or Title (if known)	
Street Address	500 W. Big Beaver
City and County	Troy,, Oakland
State and Zip Code	MI 48084
Telephone Number	248 680 7223
E-mail Address (if known)	

MIED ProSe 1 (Rev 5/16) Complaint for a Civil Case

Defendant No. 3

Name	<u>Federal Bureau of Investigation Detroit Field Office</u>
Job or Title (if known)	_____
Street Address	<u>477 Michigan Ave., 26th Floor</u>
City and County	<u>Detroit, Wayne</u>
State and Zip Code	<u>MI 48226</u>
Telephone Number	<u>(313) 965-2323</u>
E-mail Address (if known)	_____

Defendant No. 4

Name	<u>John Doe</u>
Job or Title (if known)	_____
Street Address	_____
City and County	_____
State and Zip Code	_____
Telephone Number	_____
E-mail Address (if known)	_____

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☒ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Title 18, U.S.C., Section 242 - Deprivation of Rights Under Color of Law

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, (name) _____,
is a citizen of the State of (name) _____.

b. If the plaintiff is a corporation

The plaintiff, (name) _____,
is incorporated under the laws of the State of (name) _____,
and has its principal place of business in the
State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, (name) _____, is a citizen of the
State of (name) _____. Or is a citizen of (foreign
nation) _____.

b. If the defendant is a corporation

The defendant, (name) _____, is incorporated
under the laws of the State of (name) _____, and
has its principal place of business in the State of (name) _____.
Or is incorporated under the laws of
(foreign nation) _____, and has its principal place
of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (*explain*):

Seeking damages in the amount to be determined at trial.

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Officer Pokley of Troy Police came to my house uninvited, with two multiple cop cars parked on the wrong side of the street, with one officer standing on my lawn in defense position, while Pokley banged on my door so loud like he was doing a raid that any neighbor could easily hear, but then when I opened the door, he pretended to be here to help me with a sexual abuse police report that I wrote 18 days before, that the department threw away. He pretended he wanted to talk about it on my porch in front of my neighbors or inside of my house, while my minor children were home. The police report and verbal statement given to Troy Police Department in April of 2021, stated that I was sexually abused when I was 9 years old in the home of Officer Evan Fobbs, by his minor son and that undercover officers followed me into the Blu Restaurant in Glenn Arbor Michigan, on vacation, by tracking me there, and then began to taunt me in front of my minor children and husband and used the older boy who sexually abused me to do it, all while our family were eating dinner in a restaurant. For filing a complaint against officers, the Troy Police department intimidated me to go away, and retaliated with aggression. They discarded the original copy of the police report to obstruct justice and to cover for the undercover officers who wish to not be held accountable for what they did in that restaurant. I told them that I have been abused during this federal investigation by undercover officers but my local police are responding with more abuse because they are upset that I reported it. The report includes the sexual abuse involving minors (one of those minors was myself), but the department didn't even find it necessary to forward it over to the appropriate department. Instead they intimidated me and covered it up to help out the undercovers who the report is about and how they used my childhood trauma to abuse me for stirring up action for their investigation.

(Please see page 7 for the continuation)

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

This is continuing at this present time because I have been harassed out of public activities, I have anxiety, we stopped taking vacations after what happened on our last trip and I no longer drive a car because of all of this. Resolution will assure me that this is over, in which will allow me to begin to feel safe again, and allow for the opportunity to heal.

I am seeking damages in the amount to be determined at trial.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 9/30/2021, 2021.

Signature of Plaintiff

Printed Name of Plaintiff Tennille Viau

MIED ProSe 1 (Rev 5/16) Complaint for a Civil Case

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages. This is continuing at this present time because I have been harassed out of public activities, I have anxiety, we stopped taking vacations after what happened on our last trip and I no longer drive a car because of all of this. Resolution will assure me that this is over, in which will allow me to begin to feel safe again, and allow for the opportunity to heal.

I am seeking damages in the amount to be determined at trial.


V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 9/30/2021, 2021.

Signature of Plaintiff 

Printed Name of Plaintiff Tennille Viau

Additional Information:

I also informed Troy Police that I believe that my daughter who was 10 at the time, was grouped by race and then instructed by whom I believe to be undercover officers, to pretend to blow up her peers with a bomb, and to base this pretend bombing on the racial differences of other children, at our local parks and recs, to incite her with criminal ideas for their investigation. Troy Police responded by saying that they aren't looking into it and that they don't have the manpower to ask Troy Parks and Recs for the names of the people who instructed this, despite me informing them of ongoing harassment that is bringing grief. I also informed the department that I was offered 15 assault rifles, tactical gear and handguns, but the department was not interested in having this information either. When I wrote the sexual abuse police report on April 3, 2021, they ignored it for 16 days, but after I started contacting the mayor and city council of Troy, Chief Frank Nastasi requested Lynn Giorgi to be the responding investigator for my police report on April 19, 2021, but officer Pokely later informed me that there is no Officer Lynn at the Troy Police department, that she's not a detective or an officer and didn't know why she would be contacting me to handle a police report. Lynn did not have the credentials to act as responding officer because she carries no badge to do so. She was impersonating a cop because she took on the duties of a responding officer. When I told Lynn that I also want to press charges against Joshua Fobbs for the sexual abuse that happened when I was 9, Lynn didn't reply, she stopped responding and I haven't heard from her since. I also informed Michigan State Police of what was happening but they too was of no help and warned that another incident like the one involving officer Pokely could happen again. Michigan State Police also informed me that there is corruption within our government and that there are networks that can collaborate together to block us from receiving help and protection. This makes me feel unsafe. I believe that my 5 year federal investigation is now classified and now nobody wants to answer for the abuses that occurred during that time and all the interactions and negative influences I have had by officers working undercover. And now I am being intimidated and denied service from law enforcement because it benefits them to ignore it and cover it up.

I gave up my car in the summer of 2020 and no longer drive because of law enforcement's abusive use of my GPS. I now have anxiety and have only left the house in the year of 2021 to file the complaints with Michigan State Police and Troy Police. So far, the response has only been abuse or neglect. The FBI and DOJ has also been informed of the issue. The FBI hung up on me 3 times and I was told by an agent that they don't handle matters like mine. They all have neglected their duty to protect and serve. Officer Pokely understood very well that speaking about sexual abuse on the front porch would not only humiliate me in front of my neighbors but also traumatize my kids. I had to ask him to leave. I also believe that race played a factor in this matter.

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Tennille Viau

(b) County of Residence of First Listed Plaintiff Oakland
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

DEFENDANTS

Officer Grey Pokley, Troy Police Department, FBI Detroit Field Office, John Doe, Jane Joe

County of Residence of First Listed Defendant Oakland
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

☐ 1 U.S. Government Plaintiff

☐ 2 U.S. Government Defendant

☐ 3 Federal Question (U.S. Government Not a Party)

☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

PTF

DEF

Citizen of This State

☐ 1

☐ 1

PTF

DEF

Citizen of Another State

☐ 2

☐ 2

PTF

DEF

Citizen or Subject of a Foreign Country

☐ 3

☐ 3

Incorporated or Principal Place of Business In This State

☐ 4

☐ 4

Incorporated and Principal Place of Business In Another State

☐ 5

☐ 5

Foreign Nation

☐ 6

☐ 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<div>PERSONAL INJURY</div> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<div>PERSONAL INJURY</div> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <div>PERSONAL PROPERTY</div> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <div>LABOR</div> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <div>IMMIGRATION</div> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <div>PROPERTY RIGHTS</div> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 <div>SOCIAL SECURITY</div> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <div>FEDERAL TAX SUITS</div> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS			
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<div>Habeas Corpus:</div> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <div>Other:</div> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

☐ 1 Original Proceeding

☐ 2 Removed from State Court

☐ 3 Remanded from Appellate Court

☐ 4 Reinstated or Reopened

☐ 5 Transferred from Another District (specify)

☐ 6 Multidistrict Litigation - Transfer

☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
Title 18, U.S.C., Section 242 - Deprivation of Rights Under Color of Law

Brief description of cause:
Acts under "color of any law" include acts not only done by federal, state, or local officials within the bounds or limits of their lawful authority

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:
JURY DEMAND: ☐ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

October 15, 2020

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

1. Is this a case that has been previously dismissed?

☐ Yes
☒ No

If yes, give the following information:

Court: _____

Case No.: _____

Judge: _____

2. Other than stated above, are there any pending or previously discontinued or dismissed companion cases in this or any other court, including state court? (Companion cases are matters in which it appears substantially similar evidence will be offered or the same or related parties are present and the cases arise out of the same transaction or occurrence.)

☒ Yes
☐ No

If yes, give the following information:

Court: U.S. District Court for the Eastern District of Michigan

Case No.: 2:21-cv-11169-MAG-DRG

Judge: Mark A. Goldsmith

Notes : That case does not have the same defendants or complaints as this new case.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TENNILLE VIAU,

Plaintiff,

v.

Case No. 21-12313

Honorable Victoria A. Roberts

GREG POKLEY, ET AL.,

Defendants.

_____ /

ORDER REQUIRING PLAINTIFF TO FILE AMENDED COMPLAINT

Plaintiff initiated this action against several defendants – Greg Pokley, the Troy Police Department, the Federal Bureau of Investigation (FBI) Detroit Field Office, and John Doe – on September 30, 2021, without the assistance of counsel. [ECF No. 1].

Although her complaint is not entirely clear, Plaintiff appears to allege that officers of the Troy Police Department abused and harassed her in retaliation for a police report she filed in April of 2021. Plaintiff claims that she reported to the Troy Police in April of 2021 that she was sexually abused when she was 9 years old by a Troy Police officer's son. [ECF No. 1, PageID.5]. Plaintiff alleges that she attempted to contact the FBI Detroit field office, but they "hung up on [her] three times." [ECF No. 1, PageID.7].

Other than merely listing a federal claim, 18 U.S.C. § 242, Plaintiff fails to make any allegations that plausibly invoke the Court's subject matter jurisdiction under 28 U.S.C. § 1331.

Federal question jurisdiction exists pursuant to 28 U.S.C. § 1331 where a "well-pleaded complaint establishes either that federal law creates the cause of action or that the plaintiff's right to relief necessarily depends on resolution of a substantial question of federal law." *Franchise Tax Bd. v. Constr. Laborers Vacation Trust*, 463 U.S. 1, 27-28 (1983).

Plaintiff utilized the "MIED ProSe" form, "Complaint for a Civil Case," for her complaint. In her answer to the basis for federal question jurisdiction, Plaintiff stated, without alteration:

Title 18, U.S.C., Section 242 – Deprivation of
Rights Under Color of Law

[ECF No. 1, PageID.4]. Plaintiff's stated claim, 18 U.S.C § 242, is a criminal statute that does not provide a private right of action.

Giving the claim the benefit of the doubt, there are no factual allegations in the complaint that can reasonably be interpreted to show the court has subject matter jurisdiction.

Plaintiff's claims are also conclusory and – as pled – fail to state a claim upon which relief may be granted under Rule 12(b)(6).

Federal Rule of Civil Procedure 8(a) requires that a complaint set forth “a short and plain statement of the claim showing that the pleader is entitled to relief,” as well as “a demand for the relief sought.” Fed. R. Civ. P. 8(a)(2), (3). Unquestionably, “[t]o survive a motion to dismiss, a complaint must contain sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face.” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (internal quotation omitted); see also *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007). Plaintiff’s allegations are conclusory and unclear.

Moreover, Plaintiff fails to comply with Fed. R. Civ. P. 10(b), which require Plaintiff to state her claims in numbered paragraphs.

Plaintiff’s complaint does not contain any headings other than “Complaint” and she does not set forth numbered paragraphs or numbered counts setting forth her claims/causes of action.

Plaintiff must file an amended complaint by November 5, 2021, which cures the deficiencies discussed above. Particularly, Plaintiff’s amended complaint must: (1) set forth allegations that plausibly invoke this Court’s subject matter jurisdiction over this case under 28 U.S.C. § 1331; (2) contain separate headings – including separate numbered paragraphs for each allegation and separate numbered counts for each cause of action alleged; (3) satisfy Federal Rule of Civil Procedure 8(a)’s pleading

requirements and the pleading requirements set forth in *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009), and *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007); and (4) comply with E.D. Michigan Local Rule 5.1 – which can be found on the Court’s website.

Finally, the amended complaint must contain all allegations Plaintiff wishes to proceed with; she may not incorporate by reference any allegations from her original complaint.

If Plaintiff fails to cure deficiencies by November 5, 2021, the Court will dismiss Plaintiff’s complaint.

IT IS ORDERED.

s/ Victoria A. Roberts
Victoria A. Roberts
United States District Judge

Dated: October 22, 2021



**Interim Financial Report
1st Quarter
For The Three Months Ended
September 30, 2021**

CITY OF TROY
QUARTERLY REPORT
THREE MONTHS ENDED SEPTEMBER 30, 2021
HIGHLIGHTS

General Fund

Revenues

Total revenues are \$40.4 million to date and represent 68.7% of total budgeted revenues and other sources. This is a decrease of \$0.5 million or 1.3% compared to the same time period in the prior year and includes recognition of total annual tax revenues of \$36.1 million. Tax revenue increased \$0.9 million or 2.5%. Grant revenue has decreased because of the \$1.6 million received from the State via the Cares Act for public safety in the prior year. This decrease is offset by the increases in Charges for Services of \$0.4 million primarily in the Recreation department.

Expenditures

Total General Fund expenditures to date are \$12.2 million or 19.4% of the annual budget. Majority of departments appear to be within expected budgetary parameters to date. The Nature Center and Historic Village amounts appear higher due to the City annual contributions at the beginning of the year, however total expenditures compared with the prior year are within expectations.

Capital Fund

Revenues

Total revenues are \$9.2 million to date and represent 49.4% of total budgeted revenues and other sources. This is an increase of approximately \$0.1 million from the prior year to date due primarily to the increase in property tax revenue of \$0.1 million.

Expenditures

Expenditures for capital projects of \$2.5 million represent 9.6% of budgeted projects. This is up approximately \$0.7 million due to the Civic Center Park Project.

Debt Service Fund

Revenues

Total revenues of \$0.0 million are down \$2.0 million or 100% compared to the prior year as expected due to the debt being paid off and no millage in 2022.

Expenditures

Total expenditures of \$0.0 million due to the debt being paid off in the prior year.

Major Streets Fund

Revenues

Total revenues of \$2.4 million represent 34.4% of total budgeted revenues. This is an increase of \$0.9 million or 56% from prior year. The increase is due primarily to the timing of payments from the State as the current year has one more payment recorded. Current trends indicate that the fund will generate budgeted amounts by the end of the fiscal year.

Expenditures

Total expenditures of \$1.5 million represent 18.4% of total budgeted expenditures. This is a decrease of \$0.3 million over the prior year amount or 15.8% as expected.

Local Streets Fund

Revenues

Total revenues of \$1.3 million represent 31.1% of total budgeted revenues. This is an increase of \$0.3 million or 35.0% from prior year. The increase is due primarily to the timing of payments from the State as the current year has one more payment recorded. Current trends indicate that the fund will generate budgeted amounts by the end of the fiscal year.

Expenditures

Total expenditures of \$1.0 million represent 19.5% of total budgeted expenditures. This is an increase of \$0.2 million over the prior year amount or 27.3% as expected.

Aquatic Center

Revenues

Total revenues of \$0.4 million represent 71.1% of total budgeted revenues. This is an increase of 100% as the Aquatic Center was closed in the prior year.

Expenses

Expenses of \$305 thousand or 44% compared to budget are substantially higher due to the closure of the Aquatic Center in the prior year.

Sanctuary Lake Golf Course

Revenues

Revenues of \$1.0 million are down \$0.05 million or 3.8% compared to the prior year for the same time period. Total year to date rounds are 18,449 representing a decrease of approximately 4,266 rounds from prior year. Average revenue per round is \$51.66 compared to prior year of \$43.61.

Expenses

Total expenditures of \$0.7 million are flat compared to prior year.

As in prior years, it is not anticipated that income from operations will cover the entire debt service amount budgeted at \$825 thousand. Weather conditions can have a significant impact on financial results.

Sylvan Glen Golf Course

Revenues

Revenues of \$0.9 million are up \$0.06 million or 6.7% compared to the prior year to date amounts. Total year to date rounds are 23,145 representing an decrease of approximately 2,847 rounds from the prior year. Average revenue per round is \$29.68 compared to prior year of \$25.15.

Expenses

Total expenditures of \$0.5 million are flat compared to prior year. Weather conditions can have a significant impact on financial results.

Sanitary Sewer Fund

Revenues

Sanitary Sewer fund revenues of \$3.6 million are down \$0.2 million or 6.5% from the prior year to date due primarily from consumption (sold 113,676 mcf, down 15,727 mcf or 12.2%).

Expenses

Sewer fund expenses of \$4.7 million are up \$0.2 million from the prior year to date due primary to capital purchase increases.

Water Fund

Revenues

Water fund revenues of \$5.2 million are down \$0.5 million or 8.9% primarily due to a decrease in consumption (sold 113,676 mcf, down 15,727 mcf or 12.2%). Weather patterns can have a significant impact on consumption over the summer months.

Expenses

Water fund total expenses of \$6.8 million are up \$0.3 million. The increase is primarily due to an increase in capital purchases in the current year.

Quarterly Financial Report
Aquatic Center Fund
For the Period Ending September 30, 2021

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
Aquatic Center Fund Revenues							
CHARGES FOR SERVICES	245,220	590,000	-93	(0.02)	600,000	426,839	71.14
INTEREST & RENT	998	26,800	297	1.11	33,000	13,688	41.48
OTHER REVENUE	-74,362	0	0	0.00	0	-420	0.00
	171,856	616,800	204	0.03	633,000	440,107	69.53
Aquatic Center Fund Expenditures							
Aquatic Center	405,631	891,170	66,551	7.47	693,724	305,247	44.00
	405,631	891,170	66,551	7.47	693,724	305,247	44.00

Quarterly Financial Report
Capital Fund
For the Period Ending September 30, 2021

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
Capital Fund Revenues							
TAXES	6,941,975	7,172,751	6,942,510	96.79	7,008,000	7,008,000	100.00
GRANTS	95,289	160,000	1,012	0.63	1,720,000	529	0.03
CONTRIBUTIONS FROM LOCAL UNITS	222,411	620,000	202,237	32.62	570,000	210,238	36.88
CHARGES FOR SERVICES	172,749	326,000	33,617	10.31	326,000	34,704	10.65
INTEREST & RENT	-87,928	11,600	22,075	190.30	36,600	42,966	117.39
OTHER REVENUE	275,249	30,000	9,607	32.02	30,000	7,252	24.17
OTHER FINANCING SOURCES	8,111,369	8,459,000	1,875,000	22.17	8,858,000	1,860,363	21.00
	15,731,112	16,779,351	9,086,057	54.15	18,548,600	9,164,051	49.41
Capital Fund Expenditures							
Capital Outlay	13,472,117	20,478,779	1,825,272	8.91	26,028,243	2,500,641	9.61
	13,472,117	20,478,779	1,825,272	8.91	26,028,243	2,500,641	9.61

Quarterly Financial Report
General Debt Service Fund
For the Period Ending September 30, 2021

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
General Debt Service Fund Revenues							
TAXES	1,957,965	1,944,240	2,000,764	102.91	0	0	0.00
GRANTS	39,022	0	0	0.00	0	0	0.00
INTEREST & RENT	-418	9,000	0	0.00	0	0	0.00
	1,996,569	1,953,240	2,000,764	102.43			0.00
General Debt Service Fund Expenditures							
Debt Service	2,905,061	2,879,260	2,828,531	98.24	0	625	0.00
	2,905,061	2,879,260	2,828,531	98.24		625	62544.00

Quarterly Financial Report
General Fund
For the Period Ending September 30, 2021

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
General Fund Revenues							
TAXES	35,702,861	35,404,700	35,185,195	99.38	36,285,700	36,053,014	99.36
LICENSES AND PERMITS	2,575,883	2,948,520	615,954	20.89	2,692,978	644,909	23.95
GRANTS	18,599,141	12,438,909	2,826,385	22.72	8,454,449	1,612,057	19.07
CONTRIBUTIONS FROM LOCAL UNITS	83,193	99,390	14,404	14.49	26,000	21,991	84.58
CHARGES FOR SERVICES	6,824,049	5,652,950	780,958	13.82	7,448,396	1,173,896	15.76
FINES AND FORFEITURES	870,384	730,500	146,078	20.00	887,700	156,099	17.58
INTEREST & RENT	564,674	1,288,780	408,411	31.69	1,458,280	395,153	27.10
OTHER REVENUE	1,276,749	1,236,930	297,197	24.03	1,282,300	319,245	24.90
OTHER FINANCING SOURCES	233,977	5,397,801	682,836	12.65	315,835	43,955	13.92
	66,730,911	65,198,480	40,957,418	62.82	58,851,638	40,420,319	68.68
General Fund Expenditures							
General government	8,764,895	9,515,054	2,025,224	21.28	9,527,577	1,953,309	20.50
Public Safety	35,347,677	37,029,656	7,633,503	20.61	38,168,879	6,971,304	18.26
Public Works	1,795,445	1,981,432	1,091,657	55.09	2,137,070	666,797	31.20
Community Development	3,543,335	4,429,508	765,913	17.29	4,449,120	709,506	15.95
Recreation and Culture	5,514,447	7,634,812	1,518,806	19.89	7,712,375	1,671,271	21.67
Transfers Out & Other Uses	1,000,000	1,000,000	250,000	25.00	1,000,000	250,000	25.00
Recreation and culture-OLD	0	0	0	0.00	0	0	0.00
	55,965,798	61,590,462	13,285,103	21.57	62,995,021	12,222,188	19.40

Quarterly Financial Report
Library Fund
For the Period Ending September 30, 2021

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
Library Fund Revenues							
TAXES	3,495,199	3,452,000	3,499,954	101.39	5,800,000	5,800,000	100.00
GRANTS	114,458	33,000	32,692	99.07	53,000	35,414	66.82
CONTRIBUTIONS FROM LOCAL UNITS	143,489	169,000	139,465	82.52	131,000	142,989	109.15
CHARGES FOR SERVICES	476	17,800	0	0.00	8,900	851	9.56
FINES AND FORFEITURES	2,768	50,000	1,059	2.12	25,000	893	3.57
INTEREST & RENT	-6,994	8,000	0	0.00	3,000	9,030	301.00
OTHER REVENUE	13,305	5,000	423	8.47	7,000	412	5.89
	3,762,700	3,734,800	3,673,593	98.36	6,027,900	5,989,589	99.36
Library Fund Expenditures							
Recreation and Culture	3,901,688	4,127,518	800,734	19.40	5,827,898	1,096,978	18.82
	3,901,688	4,127,518	800,734	19.40	5,827,898	1,096,978	18.82

Quarterly Financial Report
Local Street Fund
For the Period Ending September 30, 2021

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
Local Street Fund Revenues							
GRANTS	2,683,567	2,753,650	605,021	21.97	2,742,000	948,557	34.59
INTEREST & RENT	-20,890	32,000	4,646	14.52	32,000	5,995	18.73
OTHER FINANCING SOURCES	1,500,000	1,500,000	375,000	25.00	1,500,000	375,000	25.00
	4,162,677	4,285,650	984,667	22.98	4,274,000	1,329,552	31.11
Local Street Fund Expenditures							
Public Works	1,824,055	2,482,345	0	0.00	2,488,977	365,575	14.69
Recreation and Culture	622,151	689,110	0	0.00	694,600	143,511	20.66
Transfers Out & Other Uses	1,800,000	4,282,345	792,588	18.51	2,000,000	500,000	25.00
	4,246,205	7,453,800	792,588	10.63	5,183,577	1,009,086	19.47

Quarterly Financial Report
Major Street Fund
For the Period Ending September 30, 2021

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
Major Street Fund Revenues							
GRANTS	6,785,651	6,976,570	1,531,021	21.95	6,948,200	2,398,464	34.52
INTEREST & RENT	-18,666	50,000	5,210	10.42	35,000	5,116	14.62
	6,766,985	7,026,570	1,536,231	21.86	6,983,200	2,403,581	34.42
Major Street Fund Expenditures							
Public Works	2,397,294	3,117,471	0	0.00	3,230,757	268,245	8.30
Recreation and Culture	43,551	110,690	0	0.00	112,307	15,058	13.41
Transfers Out & Other Uses	6,200,000	8,776,101	1,820,523	20.74	5,000,000	1,250,000	25.00
	8,640,845	12,004,262	1,820,523	15.17	8,343,064	1,533,303	18.38

Quarterly Financial Report
Refuse Fund
For the Period Ending September 30, 2021

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
Refuse Fund Revenues							
TAXES	5,601,191	5,630,000	5,608,331	99.62	5,717,000	5,717,000	100.00
GRANTS	70,463	0	0	0.00	30,000	0	0.00
CHARGES FOR SERVICES	422	600	48	7.92	500	257	51.36
INTEREST & RENT	-13,980	40,000	0	0.00	10,000	9,719	97.19
	5,658,096	5,670,600	5,608,378	98.90	5,757,500	5,726,976	99.47
Refuse Fund Expenditures							
Sanitation	5,534,659	5,586,855	1,122,928	20.10	5,747,460	1,150,004	20.01
	5,534,659	5,586,855	1,122,928	20.10	5,747,460	1,150,004	20.01

**Quarterly Financial Report
Sanctuary Lake Golf Course
For the Period Ending September 30, 2021**

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
Sanctuary Lake Golf Course Revenues							
CHARGES FOR SERVICES	2,310,026	1,738,800	990,711	56.98	1,775,350	953,113	53.69
	2,310,026	1,738,800	990,711	56.98	1,775,350	953,113	53.69
Sanctuary Lake Golf Course Expenditures							
Sanctuary Lake	2,204,505	2,485,385	682,553	27.46	2,550,420	689,263	27.03
	2,204,505	2,485,385	682,553	27.46	2,550,420	689,263	27.03

Quarterly Financial Report
Sewer Fund
For the Period Ending September 30, 2021

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
Sewer Fund Revenues							
CONTRIBUTIONS FROM LOCAL UNITS	5,910	0	5,910	0.00	0	0	0.00
CHARGES FOR SERVICES	13,750,723	14,284,400	3,804,005	26.63	14,721,800	3,560,858	24.19
INTEREST & RENT	-109,203	300,000	36,194	12.06	200,000	34,258	17.13
OTHER REVENUE	962,189	0	0	0.00	0	0	0.00
	14,609,618	14,584,400	3,846,109	26.37	14,921,800	3,595,116	24.09
Sewer Fund Expenditures							
Sewer	15,219,681	26,668,550	4,475,861	16.78	20,108,603	4,666,750	23.21
	15,219,681	26,668,550	4,475,861	16.78	20,108,603	4,666,750	23.21

Quarterly Financial Report
Sylvan Glen Golf Course
For the Period Ending September 30, 2021

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
Sylvan Glen Golf Course Revenues							
CHARGES FOR SERVICES	1,597,244	1,146,070	675,744	58.96	1,180,120	728,644	61.74
INTEREST & RENT	202,040	182,400	132,000	72.37	182,400	133,380	73.13
OTHER REVENUE	750	0	0	0.00	0	0	0.00
	1,800,034	1,328,470	807,744	60.80	1,362,520	862,024	63.27
Sylvan Glen Golf Course Expenditures							
Sylvan Glen	1,260,070	1,366,480	450,015	32.93	1,303,150	450,766	34.59
	1,260,070	1,366,480	450,015	32.93	1,303,150	450,766	34.59

Quarterly Financial Report
Water Fund
For the Period Ending September 30, 2021

Description	Last Year Total Actual	Last Year Budget	Last Year Year To Date	Last Year Percent to Budget	Current Year Budget	Current Year Year To Date	Current Year % to Budget
Water Fund Revenues							
CHARGES FOR SERVICES	20,517,445	20,947,500	5,605,919	26.76	21,406,500	5,163,692	24.12
INTEREST & RENT	-132,439	104,300	86,570	83.00	104,400	22,213	21.28
OTHER REVENUE	1,115,475	100,100	0	0.00	100,100	0	0.00
	21,500,481	21,151,900	5,692,489	26.91	21,611,000	5,185,905	24.00
Water Fund Expenditures							
Water	21,306,298	26,061,184	6,522,406	25.03	25,466,336	6,795,674	26.68
	21,306,298	26,061,184	6,522,406	25.03	25,466,336	6,795,674	26.68

City of Troy
Schedule of Cash and Investments
9/30/2021

Fund	Financial Institution	Type of Investment	Rate	Maturity Date	G/L Account	Balance per Bank (cost)	Deposits in Transit	Outstanding Checks	Transfers	Other Items	Balance per Books
Pooled Investment Fund	Comerica	Money Market	0.10%		751.1120	\$ 1,252,505.09					\$ 1,252,505.09
Pooled Investment Fund	Comerica	Checking Account	-		751.1001.001	\$ 50,799,419.36	\$ 142,101.86	\$ (279,354.38)	\$ (169,910.82)	\$ (151.80)	\$ 50,492,104.22
Pooled Investment Fund	Comerica	Cash & Cash Equivalents	0.00%		751.1001.230	\$ (676,372.15)					\$ (676,372.15)
Pooled Investment Fund	Comerica	Government & Municipal Bonds	0.03%		751.1120	\$ 22,705,651.37					\$ 22,705,651.37
Pooled Investment Fund	Fifth Third Bank	Cash & Cash Equivalents	0.03%		751.1001.230	\$ 1,544,333.81					\$ 1,544,333.81
Pooled Investment Fund	Fifth Third Bank	Government & Municipal Bonds	0.02%		751.1120	\$ 49,674,674.42					\$ 49,674,674.42
Pooled Investment Fund	Huntington Investment Co	Cash & Cash Equivalents	0.03%		751.1001.230	\$ 29,910.28					\$ 29,910.28
Pooled Investment Fund	Huntington Investment Co	Government Bonds	0.01%		751.1120	\$ 1,157,117.06					\$ 1,157,117.06
Pooled Investment Fund	Huntington Nat'l Bank	Money Market	0.01%		751.1001.140	\$ 615,532.12					\$ 615,532.12
Pooled Investment Fund	Independent Bank	Certificate of Deposit	0.08%	06/24/21	751.1003	\$ 5,979,823.25					\$ 5,979,823.25
Pooled Investment Fund	Level One Bank	Certificate of Deposit	0.15%	05/17/21	751.1003	\$ 221,786.86					\$ 221,786.86
Pooled Investment Fund	MBIA-Class	Money Market	0.03%		751.1120	\$ 1,816,259.95					\$ 1,816,259.95
Pooled Investment Fund	Morgan Stanley Smith Barney	Cash & Cash Equivalents	0.01%		751.1001.230	\$ 7,005,396.18					\$ 7,005,396.18
Pooled Investment Fund	Morgan Stanley Smith Barney	Certificate of Deposit	-		751.1120	\$ -					\$ -
Pooled Investment Fund	PNC Bank	Money Market	0.01%		751.1120	\$ 5,286,053.21					\$ 5,286,053.21
Pooled Investment Fund	TCF Bank	Money Market	0.05%		751.1120	\$ 5,145,723.62					\$ 5,145,723.62
Sanctuary Lake Golf Course	Fifth Third Bank	Checking Account	-		583.1001.100	\$ 1,021,046.58	\$ 12,001.50	\$ (42,733.55)			\$ 990,314.53
Sanctuary Lake Golf Course	Fifth Third Bank	Checking Account	-		583.1001.130	\$ 2,333.70	\$ -	\$ (8,443.16)		\$ -	\$ (6,109.46)
Sylvan Glen Golf Course	Fifth Third Bank	Checking Account	-		584.1001.100	\$ 890,557.73	\$ 9,838.99	\$ (10,397.51)		\$ (523.26)	\$ 889,475.95
Sylvan Glen Golf Course	Fifth Third Bank	Checking Account	-		584.1001.130	\$ 4,229.28	\$ -	\$ -		\$ -	\$ 4,229.28
Trust & Agency Fund	Comerica	Checking Account	-		701.1001.001	\$ 903,650.13	\$ 90,546.66	\$ (41,571.22)	\$ 169,910.82	\$ -	\$ 1,122,536.39
Water Fund	Fifth Third Bank	Cash & Cash Equivalents	0.03%		591.1001.100	\$ 128,580.06					\$ 128,580.06
Water Fund	Fifth Third Bank	Government & Municipal Bonds	0.17%		591.1120	\$ 4,538,732.48					\$ 4,538,732.48
Total						\$ 160,046,944.39	\$ 254,489.01	\$ (382,499.82)	\$ -	\$ (675.06)	\$ 159,918,258.52



500 West Big Beaver
Troy, MI 48084
troymi.gov

M-02b

CITY COUNCIL AGENDA ITEM

Date: November 8, 2021

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
Brian Goul, Recreation Director

Subject: Troy Nature Society Financial Statements and Annual Report for Fiscal Year Ending 2021

The Troy Nature Society a 501(c)(3) non-profit organization has a contract with the City to handle daily operations of the Nature Center. The Nature Society Activities at the nature center include nature inspired public programs designed for families, children and senior adults. In addition, they conduct programming for school and community groups along with guided nature walks and targeted school outreach nature studies.

The nature preserve is a valuable community asset offering a quiet retreat to solitary observers, couples, Scout groups, families, and school children who come to enjoy the natural beauty of the preserve. Some people come to sit on a bench, some to count bluebirds – others test water quality, monitor pond life, or tap the sugar maples. Many take the opportunity to capture photos of the wildlife for their own use and to enhance the society's marketing initiatives.

Attached is the Troy Nature Society's Financial Statements and Annual Report for Fiscal Year Ending 2021.

Troy Nature Society

Financial Report

June 30, 2021

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Statement of Financial Position	3
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Independent Auditor's Report

To the Board of Directors of
Troy Nature Society

Opinion

We have audited the accompanying financial statements of Troy Nature Society (a nonprofit organization), which comprise the statement of financial position as of June 30, 2021, and the related statements of activities and changes in net assets, functional expenses, and cash flows for the year then ended, and the related notes to the financial statements.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Troy Nature Society as of June 30, 2021, and the changes in its net assets and its cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinion

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of Troy Nature Society and to meet our other ethical responsibilities in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about Troy Nature Society's ability to continue as a going concern within one year after the date that the financial statements are available to be issued.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements, including omissions, are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of Troy Nature Society's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about Troy Nature Society's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control related matters that we identified during the audit.

Zerbo Consulting Group, P.C.

October 12, 2021

Statement of Financial Position

As of June 30, 2021

Assets**Current Assets**

Cash and cash equivalents	\$ 111,731
Total Current Assets	111,731

Property and Equipment

Office equipment	4,178
Outdoor equipment	824
Total Cost	5,002
Less accumulated depreciation	(5,002)
Property and Equipment - Net	-

Other Assets

Beneficial Interest in Assets Held at Community Foundation (Note 2)	24,238
---	--------

Total Assets	\$ 135,969
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Liabilities and Net Assets**Current Liabilities**

Accounts payable	\$ 4,889
Accrued payroll and payroll Taxes	10,669
Deferred revenue	7,560
Total Current Liabilities	23,118

Paycheck Protection Program Loan - (Note 6)

Total Liabilities	40,380
	63,498

Net Assets

Without donor restrictions	6,778
With donor restrictions	65,693
Total Net Assets	72,471

Total Liabilities and Net Assets	\$ 135,969
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Statement of Activities and Changes In Net Assets

Year Ended June 30, 2021

	Without Donor Restrictions	With Donor Restrictions	Total
Revenue, Gains, and Other Support			
Program activities	\$ 40,666	\$ -	\$ 40,666
Donations	25,458	35,490	60,948
Local government support (Note 3)	100,000	-	100,000
Fundraising events	16,443	-	16,443
Membership	10,892	-	10,892
Gain on beneficial interest in assets held at Community Foundation (Note 2)	-	5,461	5,461
Other income (Note 5)	39,156	-	39,156
Net assets released from restrictions	57,534	(57,534)	-
Total Revenue and Other Support	<u>290,149</u>	<u>(16,583)</u>	<u>273,566</u>
Operating Expenses			
Program activities	259,362	-	259,362
Management and general	35,735	-	35,735
Fundraising	17,787	-	17,787
Total Expenses	<u>312,884</u>	<u>-</u>	<u>312,884</u>
Change in Net Assets	(22,735)	(16,583)	(39,318)
Net Assets - Beginning of year	<u>29,513</u>	<u>82,276</u>	<u>111,789</u>
Net Assets - End of year	<u><u>\$ 6,778</u></u>	<u><u>\$ 65,693</u></u>	<u><u>\$ 72,471</u></u>

Statement of Functional Expenses

Year Ended June 30, 2021

	Program Activities	Management and General	Fundraising	Total
Salaries and wages	\$ 172,449	\$ 15,084	\$ 9,793	\$ 197,326
Payroll taxes	15,026	-	-	15,026
Bank service charges	1,347	86	-	1,433
Computer	-	2,161	3,021	5,182
Office and postage	-	2,747	-	2,747
Supplies	11,175	-	-	11,175
Advertising and promotion	707	-	-	707
Professional Fees	-	7,350	-	7,350
Insurance	-	1,856	-	1,856
Telephone and internet	-	2,819	-	2,819
Owl care and feeding	8,636	-	-	8,636
Events	-	-	4,973	4,973
Donations	50,000	-	-	50,000
Depreciation	22	73	-	95
Miscellaneous	-	3,559	-	3,559
Total Expenses	<u>\$ 259,362</u>	<u>\$ 35,735</u>	<u>\$ 17,787</u>	<u>\$ 312,884</u>

Statement of Cash Flows

Year Ended June 30, 2021

Cash flows from Operating Activities:

Change in net assets	\$ (39,318)
Adjustments to reconcile change in net assets to net cash from operating activities:	
Depreciation	95
Net realized gain on beneficial interest in assets held at Community Foundation	(5,461)
Forgiveness of Paycheck Protection Program Loan	(39,100)
Changes in operating assets and liabilities that provided (used) cash:	
Accounts payable	1,940
Accrued liabilities	1,449
Deferred revenue	6,137
Net cash used in operating activities	<u>(74,258)</u>

Cash flows from Financing Activities:

Proceeds from Paycheck Protection Program Loan	<u>40,380</u>
Net cash provided by financing activities	<u>40,380</u>

Net decrease in cash and cash equivalents (33,878)

Cash and cash equivalents - Beginning of year 145,609

Cash and cash equivalents - End of year \$ 111,731

June 30, 2021

Note 1 – Nature of Activities and Significant Accounting Policies

Organization

Troy Nature Society (the Organization) is tax exempt from federal income taxes under Section 501(c)(3) of the Internal Revenue Code as an organization that is not a private foundation. The Organization's mission is to provide resources and education to inspire the appreciation and preservation of nature. The Organization's objectives include providing healthy outdoor experiences and educational activities for individuals of all ages, creating an understanding of the value and necessity of stewardship of the natural environment, and the preservation and protection of the Lloyd A. Stage Nature Center (the Center) located in Troy, Michigan, for future generations.

The City of Troy has a contract with the Organization that allows the Organization non-exclusive use of the Center. The City of Troy maintains oversight of the facility, which includes building maintenance, security, utilities, and custodial services. See Note 3.

Nature of Activities

The Organization develops and offers nature-related public educational programs to children and families, school fieldtrips, scout troops, and senior citizen centers. The Organization operates the Center and maintains the accompanying reserve trails, which are available to the public on specific days. Fees are charged for most educational and group-taught programs. Other sources of income include local government support, donations, and various fundraising events.

Basis of Presentation

The Organization reports information regarding its financial position and activities according to two classes of net assets that are based upon the existence or absence of restrictions on use that are placed there by its donors: net assets without donor restrictions and net assets with donor restrictions.

Net assets without donor restrictions are resources available to support operations and not subject to donor restrictions. The only limits on the use of net assets without donor restrictions are the broad limits resulting from the nature of the Organization, the environment in which it operates, the purposes specified in its corporate documents and its application for tax-exempt status and any limits resulting from contractual agreements with creditors and others that are entered into in the course of its operations.

Net assets with donor restrictions are subject to donor-imposed restrictions. Some donor-imposed restrictions are temporary in nature, such as those that will be met by the passage of time or other events specified by the donor. Other donor-imposed restrictions are perpetual in nature, such as those that the donor stipulates that resources be maintained in perpetuity.

Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reported period. Actual results could differ from those estimates

Cash and Cash Equivalents

For purposes of the statement of cash flows, highly liquid investments with maturities of three months or less when purchased are considered cash equivalents and recorded at cost, which approximates fair value.

June 30, 2021

Note 1 – Nature of Activities and Significant Accounting Policies (Continued)***Property and Equipment***

Property and equipment is carried at cost or, if donated, at fair market value at the time of donation. Depreciation is provided on a straight-line basis over the estimated useful lives of 3 to 27.5 years. The Organization's policy is to capitalize acquisitions of \$350 or more. For the year ended June 30, 2021, all property and equipment were fully depreciated and depreciation expense was \$95.

Contribution Revenue

Contributions of cash and other assets, including unconditional promises to give in the future, are reported as revenue when received and are measured at fair value. Contributions that are restricted by the donor are reported as an increase in net assets without donor restriction if the restriction expires in the reporting period in which the contributions are recognized. Contributions with donor-imposed time or purpose restrictions are reported as support with donor restrictions. All other contributions are reported as support without donor restrictions.

Unconditional promises to give with payments due in future periods are assumed to have an implicit time restriction. Those restrictions are released as contributions when collected or when allocations or grants are made to recipient organizations based on those future collections. Conditional promises to give are recognized only when the conditions on which they depend are substantially met and the promises become unconditional. There were no conditional promises to give recognized as of June 30, 2021.

Concentrations of Credit Risk

The Organization derives most of its revenues from local government support, donations, and various fundraising events. For the year ended June 30, 2021, local government support was approximately 37% of total revenues.

Functional Allocation of Expenses

Costs of providing the program, management and general, and fundraising services have been reported on a functional basis in the statement of functional expenses. The financial statements report certain categories of expenses that are attributable to more than one program or supporting function. Therefore, these expenses required allocation on a reasonable basis that is consistently applied. Depreciation is allocated on the basis of the program or support service that uses the fixed asset. Costs have been allocated between the various programs and support services based on estimates determined by management. Although the methods of allocation used are considered appropriate, other methods could be used that would produce different amounts.

Subsequent Events

The financial statements and related disclosures include evaluation of events up through and including October 12, 2021, which is the date the financial statements were available to be issued.

Note 2 – Community Foundation Endowment and Fair Value Measurement***Community Foundation Endowment***

Effective March 29, 2018, The Organization established an endowment agreement with North Woodward Community Foundation (the Community Foundation) by a reciprocal transfer of funds to the Community Foundation. The Community Foundation has the power to retain, invest, and reinvest the assets of the endowment to further the charitable or other exempt purposes of the Organization. The Community Foundation also has variance power over the endowment in that the Community Foundation's principles and procedures for advised funds provide that the commitments, grants, or expenditures from the funds shall be made to the Organization at such time or times and in such amount or amounts as determined by the Community Foundation.

June 30, 2021

Note 2 – Community Foundation Endowment and Fair Value Measurement (Continued)

The Organization may from time to time submit to the Community Foundation recommendations regarding specific purposes or amounts for distributions to the Organization. All recommendations from the Organization are to be advisory, and the Community Foundation may accept or reject them, applying reasonable standards and guidelines with regard thereto.

Fair Value Measurement

The Organization reports the fair value of the endowment fund as the Beneficial Interest in Assets Held in Community Foundation on the Statement of Financial Position.

Accounting standards require certain assets and liabilities be reported at fair value in the financial statements and provide a framework for establishing that fair value. The framework for determining fair value is based on a hierarchy that prioritizes the inputs and valuation techniques used to measure fair value.

The following table presents information about the Organization's assets measured at fair value on a recurring basis at June 30, 2021 and the valuation techniques used by the Organization to determine those fair values.

Fair values determined by Level 1 inputs use quoted prices in active markets for identical assets that the Organization has the ability to access.

Fair values determined by Level 2 inputs use other inputs that are observable, either directly or indirectly. These Level 2 inputs include quoted prices for similar assets in active markets and other inputs, such as interest rates and yield curves, that are observable at commonly quoted intervals.

Level 3 inputs are unobservable inputs, including inputs that are available in situations where there is little, if any, market activity for the related asset. These Level 3 fair value measurements are based primarily on management's own estimates using pricing models, discounted cash flow methodologies, or similar techniques taking into account the characteristics of the asset.

In instances whereby inputs used to measure fair value fall into different levels in the above fair value hierarchy, fair value measurements in their entirety are categorized based on the lowest level input that is significant to the valuation. The Organization's assessment of the significance of particular inputs to these fair value measurements requires judgment and considers factors specific to each asset.

The following table presents information about the Organization's assets measured at fair value on a recurring basis at June 30, 2021:

	Assets Measured at Fair Value on a Recurring Basis at	
	Quoted Prices in Active Markets for Identical Assets (Level 1)	Balance at June 30, 2021
Beneficial interest in assets held at North Woodward Community Foundation:		
Cash and cash equivalents	\$ 1,621	\$ 1,621
Fixed income securities	3,950	3,950
Equity securities	18,667	18,667
Total beneficial interest at fair value	<u>\$ 24,238</u>	<u>\$ 24,238</u>

June 30, 2021

Note 2 – Community Foundation Endowment and Fair Value Measurement (Continued)

The Organization reports changes in endowment fund value as gains or losses on the Statement of Activities and Changes in Net Assets. Changes in the endowment for the year ended June 30, 2021 are as follows:

Balance as of July 1, 2020	\$ 18,777
Appreciation of beneficial interest	5,461
Balance as of June 30, 2021	<u>\$ 24,238</u>

For the year ended June 30, 2021, the Beneficial Interest in Assets Held at the Community Foundation is included within the Net Assets With Donor Restrictions balance on the Statement of Financial Position and on the Statement Activities and Changes in Net Assets.

Note 3 – City of Troy

In June 2017, the City of Troy approved an operational agreement with the Organization to operate the Lloyd A. Stage Nature Center located in Troy, Michigan, effective July 1, 2017, which allows the Organization non-exclusive use of the property. The agreement expires on June 30, 2027.

In conjunction with this agreement, the City of Troy includes the Organization in its annual budget within the City's Park and Recreation Department for building and ground routine maintenance as well as an annual appropriation for Organization operations. For the year ended June 30, 2021, the City of Troy provided the Organization with an appropriation for organizational operations in the amount of \$100,000.

The appropriation in the amount of \$100,000 is recorded as Local Government Support on the Statement of Activities and Changes in Net Assets for the year ended June 30, 2021.

Note 4 – Owl Fund

The Organization supports and cares for five owls, and the Owl Fund supports owl related expenses including but not limited to owl food, veterinary care, and routine habitat maintenance. The Owl Fund donations totaled \$34,124 for the year ended June 30, 2021, which is approximately 56% of Organization donations. Owl Fund donations are included within Donations with donor restrictions on the Statement of Activities and Changes in Net Assets.

Note 5 – Other Income

On January 30, 2020, the World Health Organization ("WHO") announced a global health emergency because of a new strain of coronavirus originating in Wuhan, China (the "COVID-19 outbreak") and the risks to the international community as the virus spread globally beyond its point of origin. On March 11, 2020, the WHO classified the COVID-19 outbreak as a pandemic, based on the rapid increase in exposure globally.

As a result of the COVID-19 outbreak, the Organization was eligible for its first Paycheck Protection Program Loan dated May 7, 2020 in the amount of \$39,100. The Organization used its first Paycheck Protection Program Loan on qualifying expenses during the applicable covered period, and the Loan was forgiven by the Small Business Administration on March 15, 2021.

Based on the Loan forgiveness received, the Organization's first Paycheck Protection Program Loan is recognized within Other Income on the Statement of Activities and Changes in Net Assets for the year ended June 30, 2021.

June 30, 2021

Note 6 - Paycheck Protection Program Loan

On February 1, 2021, the Organization was granted a loan (the "Loan") from PNC Bank, National Association, in the aggregate amount of \$40,380, pursuant to the Coronavirus Aid, Relief, and Economic Security Act's (the "CARES Act) Paycheck Protection Program (the "PPP"), which was enacted on March 27, 2020. This was the Organization's second Paycheck Protection Program Loan.

The Loan, which was in the form of a Note dated February 1, 2021, matures on February 1, 2026 and bears interest at a rate of 1.00% per annum. On February 1, 2026, all accrued interest that is not forgiven under the PPP shall be due and payable. The Note may be prepaid by the Organization at any time prior to maturity with no prepayment penalties. Funds from the Loan may only be used for payroll costs, costs used to continue group health care benefits, mortgage payments, rent, utilities, interest on other debt obligations, operating expenditures, property damage costs, supplier costs, and worker protection to be eligible for forgiveness of the Loan. The Organization used the entire Loan amount for qualifying expenses as described in the CARES Act over a covered period of 24 weeks. The Organization anticipates forgiveness of the Loan and has started the loan forgiveness process as of the date of this report.

Note 7 – Liquidity and Availability of Financial Resources

The Organization has \$111,731 of financial assets available within one year of the statement of financial position date to meet cash needs for general expenditure consisting of cash and cash equivalents. None of the financial assets are subject to donor or other contractual restrictions that make them unavailable for general expenditure within one year of the statement of financial position date with the exception of funds to be used for Organization programs and funds as described in Note 8 below. The Organization has a goal to maintain financial assets, which consist of cash and cash equivalents, on hand to meet 60 days of normal operating expenses, which are, on average approximately \$52,000. The Organization has a policy to structure its financial assets to be available as its general expenditures, liabilities, and other obligations come due.

Note 8 – Prior Period Adjustments***Net Asset Classifications***

The accompanying financial statements have been restated to correct an error impacting the classifications of beginning of the year net assets on the Statement of Activities and Changes in Net Assets. For the year ended June 30, 2020, net assets released from donor restrictions previously totaled \$7,349. For the year ended June 30, 2020, net assets released from donor restrictions should have totaled \$23,816, which directly relates to use of donor restricted funds for the following Organization programs and funds including Title 1, Head Start, Pavilion, and the Owl Fund. As a result, as of July 1, 2020, net assets with donor restrictions were decreased by \$16,467 and net assets without donor restrictions were increased by \$16,467.

Community Foundation Endowment

The accompanying financial statements have been restated to correct an error impacting the beginning balance of the Organization's beneficial interest in assets held at North Woodward Community Foundation. For the year ended June 30, 2020, the beneficial interest in assets held at North Woodward Community Foundation totaled \$10,230. For the year ended June 30, 2020, the beneficial interest should have totaled \$18,777 to reflect the aggregate change in value of the respective interest. As a result, as of July 1, 2020, the Organization's beneficial interest in assets held at North Woodward Community Foundation were increased by \$8,547, which also increased net assets with donor restrictions by \$8,547.

As a result of the prior period adjustments disclosed above, as of July 1, 2020, net assets without donor restrictions, net assets with donor restrictions, and total net assets are \$29,513, \$82,276, and \$111,789, respectively.

2 0 2 1 ANNUAL REPORT



The Troy Nature Society (TNS) is a nonprofit organization conducting educational nature programs for individuals of all ages at the Stage Nature Center. The organization promotes knowledge of our natural world and good stewardship of our environment.

6685 Coolidge Hwy, Troy, MI 48098

Ph: 248.688.9703

www.stagenaturecenter.org

A Message from David Lambert, President of the Troy Nature Society

In July 2011, the Troy Nature Society entered into a contract with the City of Troy to manage the programs and activities of our community's beautiful 100 acre preserve. This year, as we hold our 10th Anniversary celebrations, we would like to honor our Charter Members for their valiant efforts in forming the Society.



Photo credit, Mara Stein

As our nation and community emerge from the pandemic, we are most thankful to our hard-working staff and volunteers who've managed safe in-person educational programs for the children and adults of our community and region. This past summer we were able to reinstate our popular Day Camps for children. We are working hard to expand educational programs for local students as schools return to normal in 2022.

Three years ago, the TNS Board of Directors made the courageous decision to invest in the future of five owls in need, knowing that a new secure structure would need to be built and there would be a substantial increase in the annual budget to provide for their monthly care, feeding and medical expenses that is so vital to their livelihood. The Raptor House was officially dedicated at a ribbon-cutting ceremony on June 16th. We wish to thank everyone that helped provide financial support and those who contributed their extraordinary expertise to get us to the completion of a new home for our adopted owls. Additionally, we wish to extend a special thank you to the Troy City Council, management, and staff for their financial partnership in this permanent structure that will serve not only these birds of prey but also any future raptors in need.

Here are some of the other significant highlights of 2021:

- Nearly 1,000 people participated in a socially distanced Maple Syrup Time program held outdoors in March.
- The 2021 Run for Nature had 149 participants running and walking at the Troy Farm and the surrounding neighborhoods. We've scheduled the next Run for Nature for June 11, 2022.
- We're working hard on our next major fundraiser, Nature Uncorked. It's scheduled for early November 2021 and we're hopeful it will be as successful as our last event held two years ago.
- Despite the financial challenges posed by the pandemic, we've been able to manage our finances. For example, our staff and volunteers worked to secure a second round of PPP funding.
- We've also made the Susan and Roger Kowalski Pavilion available for rentals again.

Going forward, we are looking for new ways to raise funds to help maintain and improve our top-notch programming. We are always looking for new members to help us expand our outreach to the local community.

Finally, our TNS Board of Directors welcomed a couple of newcomers to the Board this year. The new members come to us with plenty of plans and ideas for the Center, so make sure to visit the Stage Nature Center in 2022 to see this major, green asset in our community.



David Lambert
President, TNS Board of Directors

In The Beginning

Land for the Stage Nature Center (SNC) was originally purchased by the City of Troy in the 1970s and is located at 6685 Coolidge Hwy. in Troy, just south of South Blvd. At the time of acquisition, there was an older home on the property that was initially used as the nature center building. In 2002, the old structure was demolished and the current 8,200 square foot interpretive nature center building was constructed using funds



received from a government grant to the City of Troy. This center for learning contains classrooms, a public research library, an observation bee hive, a wildlife viewing area and an exhibition lobby with a live reptile and amphibian display. The headwaters of the Rouge River flow through this unique 100-acre preserve. More than 145 plant and animal species may be viewed throughout the grounds. An outdoor play area features climbing boulders, and a paved path provides wheelchair access to the streamside forest. Within the nature center boundaries are two miles of trails, which pass through upland forest, meadows, streamside wetlands, cattail marsh and a Monarch Butterfly Way Station constructed in 2017.

In 2010, in response to the planned closure of the Stage Nature Center by the City of Troy, a small but devoted group of citizens came together to create the Troy Nature Society, a 501(c)(3) nonprofit organization. Members of the Board of Directors immediately began raising funds to support operations. The Society assumed management oversight of the nature center on July 1, 2011 and immediately began offering educational nature and science programs. This was a critical time in the transition of this valued community resource from city government to nonprofit management and funding. The Troy Nature Society sought members, volunteers and financial supporters to ensure our community would continue to enjoy the benefits of time spent in the out-of-doors. During the first fiscal year of operations, TNS provided services for 8,253 visitors, students and program participants.

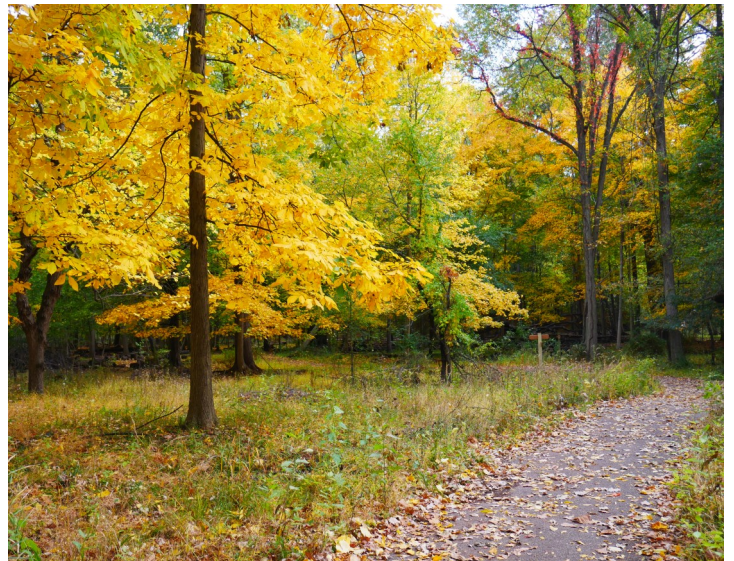
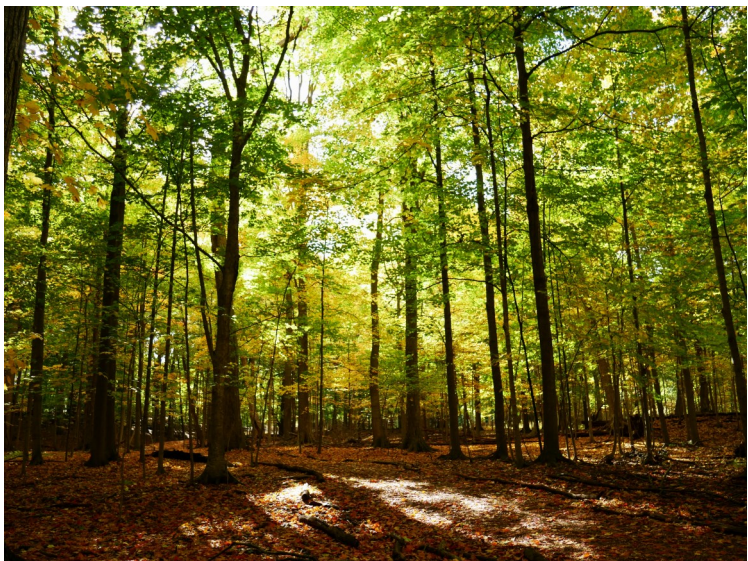


Photo credits, Mara Stein



The family of Roger and Susie Kowalski provided an exciting addition to the nature center during the 2019 fiscal year. Roger and Susie's children along with their spouses provided the funds to build and dedicate a new outdoor pavilion in honor of their parents. Susie's passing in April 2019, left a large void in our hearts for this remarkable wife, mother, grandmother and community activist who had a special passion for the nature center. The Society has been especially appreciative for the construc-

tion of the Roger and Susie Kowalski Pavilion since the start of the pandemic. The shelter provides us with many venue options including space for public and scouting programs, Day Camp programs, rentals for wedding ceremonies, family reunions along with casual group gatherings.

Activities at the nature center include public programs geared toward families, toddlers and senior adults. Additionally, we conduct programming for school and community groups along with guided nature walks and targeted school outreach nature studies. The preserve is a valuable community asset offering quiet retreat to solitary observers, couples, Scout groups, families, and school children who come to enjoy the natural beauty of the preserve. Many take the opportunity to capture photos of the wildlife for their own use and to enhance the Society's publicity materials.

The Society has seen tremendous growth across all program areas and performed diligently in financial stewardship since its founding in 2011. Though forced to discontinue programming for nearly four months during the pandemic, the Society still served more than 29,000 individuals attending programs and visitors enjoying the beauty of the preserve during the fiscal year ended June 30, 2021. The organization:

- Conducted 36 school field trips/school outreach/organized group programs. These programs served a total of 455 students and Scouts who were provided with hands-on experience in nature.
- Conducted 179 public programs and events for children, adults and miscellaneous groups at the nature center. These programs served 4,800 individuals (ages two years old through senior adult) with age-appropriate programs and activities designed to enhance learning in a natural environment.
- Maintained a dedicated corps of 225 individuals who volunteered an amazing 4,013 hours in support of TNS programs, activities and initiatives. Comprising 98% of our work force, these devoted volunteers donated time and effort to help with such activities as: educational program assistance; trail maintenance and clean-up projects; the annual Maple Syrup event; fundraising events, blue bird monitoring; front desk reception and administrative support.
- In partnership with the City of Troy, the Society along with its friends and supporters reached its financial goal of \$145,000 to complete construction of a Raptor House. In June 2021, a dedication of the new enclosure for the five rehabilitated owls adopted in 2018 by the Society was held. The enclosure is home to these magnificent birds of prey and for any future raptors not able to survive for themselves in the wild. The public can view the owls in their permanent home daily from dawn to dusk.



Leadership

Board Members

The Troy Nature Society is supported by volunteer Board members comprised of educators, administrators, those with backgrounds in wildlife preservation, environmental activism, business management, fundraising, marketing and finance. Financial support is a Board requirement for which 100% of the Society's Board Members comply. Board members serve on at least one of six board committees; Board Development, Financial Oversight, Fundraising, Educational Programming /Parks & Facility Management, Operations and Marketing & Communications. All members are involved in governance, policy oversight, strategic planning, fundraising and program development.

FY2022 Officers	FY2022 Board of Directors		
David Lambert – President Scott Hunter – 1st Vice President Steven Sprague - Treasurer Rebecca Seguin-Skrabucha - Secretary	Ben Funderburk Dan Glombowski Paul Hoef Alex Mattia Ernie McClellan	Bill Ording Anna Romund Tiffany Vanderpuije Fran Stage	Chloe Pottenger <i>Student Board Representative</i>

Program Staff

The administration of the Society includes an Executive Director responsible for oversight and fundraising activities. Carla Reeb was hired in July 2012 with over twenty-five years nonprofit management experience. The Society has a Lead Naturalist and an Assistant Naturalist employed full time, both with extensive backgrounds in nature education: organizing, executing and evaluating educational nature and science programs. A Program Support Assistant provides administrative support for program staff along with acting as the organization's Volunteer Coordinator. Six program instructors are employed "as needed" along with a full-time Seasonal Intern to help support the many TNS educational programs as they are offered throughout the year. The Society has a part-time accountant managing finances and a part-time Marketing Specialist to manage the organization's website and promote awareness of the organization's programs and activities through social media and the local press.

FY2022 TNS Staff	TNS Program Instructors
Carla Reeb – Executive Director Debra Williams – Lead Naturalist Christina Funk – Assistant Naturalist Louise McCormick-Glazier - Program Support Asst. Cindy Wymer - Accountant Neha Saigal – Marketing Specialist	Lori Brown Danielle Durham Linda Friedman Michelle Goyette Nancy Klein Miranda Roberts Andrew Grembowski - Seasonal Intern

Volunteer Corps

The Society has a dedicated corps of 200+ volunteers. Comprising 98% of our work force, these devoted individuals, ages 14+, donate time and effort to help with such activities as: educational program assistance, trail maintenance, clean-up projects, Maple Syrup programming, fundraising events, blue bird monitoring, front desk reception and administrative support.

Members

The organization currently has 200+ members supporting its mission. All membership revenues help underwrite the programs and activities of the Society. Membership benefits includes voting rights at the annual meeting and discounted fees when participating in certain TNS programs.

Mission

Our overarching mission is to provide resources and education to inspire the appreciation and preservation of nature. Specifically, the objectives of the Society are to:

- Provide healthy outdoor experiences and educational activities for individuals of all ages
- Create an understanding of the value and necessity of stewardship of our natural environment
- Preserve and protect the Stage Nature Center for future generations

Our Vision

The Troy Nature Society will become the exemplary community resource for nature education and preservation in the Troy area. We believe in making learning fun! While striving to achieve our vision, the Society will continue to assess our performance in the following areas:

- Education

- Offer innovative programs developed from current research, national trends and community needs
- Provide a wide range of program offerings for people to view and interact with the natural environment
- Act as a resource to the community for nature related questions

- Preservation

- Maintain and improve the Stage Nature Center
- Provide a physically safe, peaceful and well-maintained environment for visitors of the Stage Nature Center

- Collaborative Relationships

- Cultivate relationships with community organizations
- Participate in the community as a forward thinking and challenging leader
- Develop a vibrant and involved support base
- Cultivate relationships with organizations having similar purposes

Program Benefits

Along with providing educational programming, our nature center and its activities provide numerous benefits including:

- Natural features and spaces important to defining community image and distinctive character
- A facility that contributes to educational and cultural benefits
- Protection for important natural systems
- Active and passive recreational opportunities
- Healthy lifestyles enhancement by facilitating improvements in physical fitness through exercise, and also by facilitating positive emotional, intellectual and social experiences

Non-Discrimination Policy

The Troy Nature Society affirms a policy of non-discrimination with regards to persons on the basis of race, religion, color, sex, gender, sexual orientation, gender identity, height, weight, marital status, sexual orientation, national origin, age, disability, genetic information, amnesty status, veteran status or any other basis protected by federal, state and/or local law. This policy shall pertain to staff, applicants, volunteers, members and guests.



Photo credit, Katie Burns

Making a Positive Difference In Our Community

Public Programs

An extensive variety of educational nature and science programs is offered to the public on a year-round basis. These programs are geared for individuals of all ages - toddlers to senior adults and are designed to help children and adults increase their understanding and stewardship of our natural environment. We accomplish this by interpreting the natural world around us and acting as an educational resource in biology, ecology and natural history for all our students, young and old. Some of our most popular public programs include our various week-long Day Camps offered to reinforce children's learning experience during the summer months. Additionally we partner with such groups as Michigan DNR to provide classroom facilities for public outdoor education programs.



Photo credit, Katie Burns

School / School Outreach Programming

TNS offers educators a wide selection of science programs that meet public, private and home-schooled students' academic needs. Programs are developed to provide students with hands-on experience in nature and are designed to enhance the school's core curriculum. We utilize animal mounts, pelts, skulls, shells and other materials to ensure a first-class view of the world around us. School field trips held at the nature center engage participants in interactive nature and science experiences which include classroom instruction followed by a guided hike through the preserve. During the 2020-2021 school year, our program staff offered educators nature programs convened virtually for their students. Based on the program chosen by the educator, some programs include educational kits that are provided to the teachers and distributed to students prior to the presentation. As the 2021-2022 school year proceeds, we expect our Instructors to visit the classrooms of local schools and bring in-person programming to students. We offer various outreach programs that fulfill the instructional and educational needs of the school. Just like the programs held at the nature center, all outreach programs are designed to enhance the school's core curriculum and include hands-on interaction with mounts, pelts and other biofacts.

Scouts/Groups

As a support to organized troops and groups, we offer programs that meet requirements for members to come and complete their nature-related badge or achievement. Current programs include those geared toward Boy Scouts, Cub Scouts and Girl Scouts.

Live Owl Programming

The Society offers opportunities for the public to meet live owls and learn about these fascinating birds of prey housed at the nature center. Additionally, the Society has developed educational programs featuring these Michigan owls for the public and other organized groups. Fees collected from the programs act as a source of revenue to support the feeding, care and medical expenses that is vital to the livelihood of these amazing rehabilitated raptors.

Family Nature Explorers

This monthly program is offered year-round allows the whole family (parent and child) to participate in hands-on, outdoor experiences that inspire curiosity and create a connection to nature. A different nature topic is featured each month.

Maple Syrup Event

March is a special time for the nature center and the families of our community. TNS holds its annual Maple Syrup Time for three consecutive Saturdays every March. This fun and educational family event is typically attended by nearly 1,000 guests who venture into the woods on a guided tour, visit an historic sugar camp to learn how maple trees are tapped and see for themselves how the sap is harvested. Participants learn about the ordinary effort it takes to make sap into maple syrup. This unique seasonal event receives extensive local television and media coverage every year.

Public Awareness

TNS reaches out to our community through mailings, local distribution of brochures, public service announcements (PSAs), media events, TNS website, social media sites and participation in local community events to increase awareness of TNS. We also partner with the Troy Historical Village and other organizations serving similar populations. Public program announcements are advertised quarterly in the city's premiere magazine "*Troy Today*" which is distributed to approximately 32,000 households and businesses quarterly.



Photo credit Christina Funk

TNS school and school outreach program offerings are distributed annually to nearly 500 schools and school districts across the tri-county area. PSA's are distributed monthly to local papers to create community awareness of TNS programs, activities and volunteer opportunities which are also advertised on the organization's social media sites and website.

Additionally, the Executive Director and staff speak at local community groups throughout the tri-county area and provide programs to create awareness of sponsorship opportunities and programs offered at the nature

Program Attendance

ATTENDANCE TOTALS FOR FISCAL YEAR ENDED JUNE 30, 2021	
Group Visitations (Schools/Scouts/Senior Groups/Home School Groups)	455
Outreach Programs & Lectures	268
Birthday Parties (Educational) and Facility Rentals	4,800
Walk-In Visitations	23,903
Grand Total	29,426

Program Evaluation



Post-program evaluations from pre-selected students participating in school programs are collected and tabulated. Educators also evaluate the program for academic effectiveness. Teacher comments provide both quantitative and qualitative information regarding the overall impact of programs along with providing direction for future programs that promote education, healthy lifestyles and good stewardship of our environment.

Funding

Funding for the organization's programs and activities comes from individuals, foundations, local government, corporations, membership fees, program fees, fundraising events and facility rental fees. Contributors providing financial support at the \$500 level and above during the 2020 fiscal year include:

Anonymous (3)	Kresge Foundation	St. Stephen's Episcopal Church
Automotive Authority, Inc.	Tom Lakocy Family	Frances Stage
Dr. Karol Carter	Christal Lewandowski	Target Giving Circle
Robert and Joan Dennis	Larry and Joan Littman	Julie Lynn Thiel
Gail Fournier	Larry Ludwicki	City of Troy
Jim and Shelly Green	Alex Mattia	Troy Community Lions Club
Coldwell Banker-Karen Greenwood	William and Karen Ording	Troy Garden Club
William Hamilton	Larry & Nancy Piotrowski	Troy Nature Photo Club
Paul and Anne Hoef	Plants For Ecology, LLC	Village Club Foundation
Roger Kowalski		John and Nancy Youngerman

In addition, we have a well established annual Wine and Beer Tasting fundraiser along with a 5K Run/Walk for Nature event initiated in 2018. Currently there are approximately 232 TNS Members proving financial support our programs and activities.

Financials

In 2011, the society began operating the nature center under a two-year agreement with the City of Troy. The agreement called for approximately \$35,000 annually in city support of services, building maintenance and supplies for the nature center. In June 2017, the City of Troy renewed its operating agreement with the Society through the fiscal year 2027. The Troy Nature Society Endowment Fund established through the Troy Community Foundation (TCF) in 2018 is valued at \$24,238 as of June 30, 2021.

Revenue & Expenses	FYE 6/30/2020	FYE 6/30/2021
Donations & Grants	\$ 48,328	\$ 60,948
Fundraising Events	22,640	16,443
Membership Dues	9,333	10,892
Program Fees	37,288	40,666
Other Income (PPP, TCF)		44,617
City Investment*	<u>150,000</u>	<u>100,000</u>
Total Revenue	\$ 267,589	\$ 273,566
Wages & Payroll Taxes	206,343	187,475
Contract Services	490	0
Program Expenses	31,053	71,887
Administrative Expenses	<u>32,665</u>	<u>53,522</u>
Total Expenses	\$ 270,551	\$ 312,884

*Figures do not include \$46,000/annually for other city services and supplies provided in support of maintaining the nature center.

FREQUENTLY ASKED QUESTIONS



Photo credit Christina Funk

How is the Society funded? TNS operates on contributions it receives from membership fees, foundation gifts, program fees, local government funding, corporations, individuals, community organizations, fundraising events and facility rentals.

What kinds of programs does TNS offer at the nature center? High quality nature and science programs are offered year-round to the public, local schools along with programs for Scouts and other organization groups. All programs are offered for a minimal fee.

How is the organization staffed? Currently, the organization employs an Executive Director who oversees operations and fundraising activities; a Lead Naturalist and Assistant Naturalist oversee all educational programming and six on-call program instructors assist with programs as they are scheduled. A Program Support Assistant provides support service for all programs and manages the recruiting, training and scheduling of volunteers. Additional part-time staff include an Accountant and Marketing Specialist.

What types of volunteer help do you need? Individuals offer support in areas such as educational program assistance, various support committees, trail maintenance, trail clean-up projects, our annual maple syrup event, fundraising, blue bird monitoring, photography club, front desk help and administrative support.

Is there a fee to visit the center? There is no fee to walk the trails or visit the nature center building with its exhibit hall which includes a mastodon dig, children's play area, research library, live amphibian and reptile display and observation bee hive. Donations are accepted and greatly appreciated.

What are the hours of operation? Trails are open to the public daily year-round from dawn to dusk. The nature center's exhibit hall is open Tuesday through Friday from 9:00 am to 3:00 pm and Saturday 10:00 am to 4:00 pm and is also open when special programs or classes are offered. (Holidays excluded). The nature center's owls are available for public viewing in their new permanent enclosure daily.



Photo credit Tina Catron



*The Stage Nature Center
is managed by the
Troy Nature Society
(TNS),
a non-profit organization*

Troy Nature Society
P.O. Box 99302
Troy MI, 48099
PH: (248) 688-9703
Fax: (248) 879-9241
www.stagenaturecenter.org

All photos contained in this report were taken at the Stage Nature Center.





Carlisle | Wortman
ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

To: City Council
Mark Miller, City Manager
Bob Bruner, Assistant City Manager
Brent Savidant, Community Development Director

From: Ben Carlisle, AICP

Date: October 27, 2021

RE: City Council Node Activities

As we continue to do community engagement for the Master Plan update, we are hosting walking tours of six (6) nodes in the City. The purpose of the walking tours is to gather public input on whether the land use plan for each area – land use, size and scale, location of zoning district boundaries - is correct and if not, what should it be.

The City Council's input into the Master Plan update is essential to the process, particularly the neighborhood nodes which are the primary focus of the Master Plan update. We suggest delaying City Council discussion of the neighborhood nodes until after the walking tours, to allow CWA and City Staff to summarize the input received and provide that information to City Council for consideration.

To obtain your input regarding the nodes, we suggest the following activities:

1. **City Council Node Tour:** CWA and City Staff will lead the City Council on a guided bus tour and facilitated discussion of particular nodes. The tour will include the three (3) nodes that are either 1). Received the most public input; or 2). Have planning elements that could be carried over to other nodes in the City. At each of the three nodes, we will do a short walking tour to highlight issues for consideration. The tour will conclude with a facilitated discussion at City Hall.
2. **City Council Interviews:** Based on feedback heard from the walking tours with the public and the City Council bus tour, CWA and Director Savidant will conduct one-on-one interviews with City Council members to obtain direct input. We will schedule these around Council members availability.

If this plan is acceptable to the City Council, we will work with City Staff to schedule these activities. Please note that these two activities will be the first of many opportunities for input. However, since the Nodes have been identified the focus of the update, obtaining City Council input regarding the nodes at this point in the process is essential.

City Council Node Input
October 26, 2021

Sincerely,

A handwritten signature in dark ink, reading "Benjamin R. Carlisle". The signature is written in a cursive style with a horizontal line extending from the end of the name.

CARLISLE/WORTMAN ASSOC., INC.
Benjamin R. Carlisle, LEED AP, AICP

**CITY CLERK
CITY OF TROY
500 W. BIG BEAVER ROAD
TROY, MI 48084**

**STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION
NOTICE OF HEARING
FOR THE ELECTRIC CUSTOMERS OF
DTE ELECTRIC COMPANY
CASE NO. U-21087**

- DTE Electric Company requests Michigan Public Service Commission's approval of a partial waiver of the Consumer Standards and Billing Practices for Electric Residential Service and approval of a Voluntary Prepay Billing Program.
- The information below describes how a person may participate in this case.
- You may call or write DTE Electric Company, One Energy Plaza, 570 SB, Detroit, MI 48226, (800) 477-4747 for a free copy of its application. Any person may review the documents at the offices of DTE Electric Company.
- A pre-hearing will be held:

DATE/TIME: Wednesday, November 17, 2021 at 9:00 AM

BEFORE: Administrative Law Judge Katherine Talbot

LOCATION: Video/Teleconferencing

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

The Michigan Public Service Commission (Commission) will hold a pre-hearing to consider DTE Electric Company's (DTE Electric) September 30, 2021 application requesting the Commission to authorize: 1) DTE Electric's request for approval of its Prepay Program; 2) waiving the Rules 460.120 (3), 460.129(4), 460.139(1), 460.139(6), 460.140(1), 460.140(2) and 460.143(1) of the Michigan Administrative Code in order to allow DTE Electric to implement the Prepay Program; and 3) granting DTE Electric further additional relief.

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

Any person wishing to intervene and become a party to the case shall electronically file a petition to intervene with this Commission by November 10, 2021. (Interested persons may elect to file using the traditional paper format.) The proof of service shall indicate service upon DTE Electric Company's attorney, Carlton D. Watson, One Energy Plaza, Detroit, MI 48226.

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

Any person wishing to participate without intervention under Mich Admin Code, R 792.10413 (Rule 413), or file a public comment, may do so by filing a written statement in this docket. The written statement may be mailed or emailed and should reference Case No. **U-21087**. Statements may be emailed to: mpscedockets@michigan.gov. Statements may be mailed to: Executive Secretary, Michigan Public Service Commission, 7109 West Saginaw Hwy., Lansing, MI 48917. All information submitted to the Commission in this matter becomes public information, thus available on the Michigan Public Service Commission's website, and subject to disclosure. Please do not include information you wish to remain private. For more information on how to participate in a case, you may contact the Commission at the above address or by telephone at (517) 284-8090.

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

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

Jurisdiction is pursuant to 1909 PA 106, as amended, MCL 460.551 et seq.; 1919 PA 419, as amended, MCL 460.54 et seq.; 1939 PA 3, as amended, MCL 460.1 et seq.; 1969 PA 306, as amended, MCL 24.201 et seq.; and Parts 1 & 4 of the Michigan Office of Administrative Hearings and Rules, Mich. Admin Code, R 792.10106 and R 792.10401 through R 792.10448.

U-21087