

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

**A. CALL TO ORDER:**

A Regular Meeting of the Troy City Council was held on Monday, December 13, 2021, at City Hall, 500 W. Big Beaver Rd. Mayor Baker called the meeting to order at 7:32 PM.

**B. ROLL CALL:**

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

**C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:**

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**C-1** Proclamation to Celebrate Troy High Student Reagan Choi on Earning a Perfect Score on AP Physics Exam *(Presented by: Mayor Ethan Baker)*

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**C-2** Oakland County Update from County Commissioners Penny Luebs and Tom Kuhn

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**C-3** Independent Auditor’s Communication

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**C-4** Audit Presentation

**D. CARRYOVER ITEMS:**

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**D-1** No Carryover Items

**E. PUBLIC HEARINGS:**

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**E-1** No Public Hearings

**F. PUBLIC COMMENT FOR ITEMS ON THE AGENDA FROM TROY RESIDENTS AND BUSINESSES:**

**G. CITY COUNCIL/CITY ADMINISTRATION RESPONSE/REPLY TO PUBLIC COMMENT FOR ITEMS ON THE AGENDA FROM TROY RESIDENTS AND BUSINESSES:**

**H. POSTPONED ITEMS:**

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**H-1** No Postponed Items

**I. REGULAR BUSINESS:**

**I-1 Board and Committee Appointments: a) Mayoral Appointments – Local Development Finance Authority, Planning Commission; b) City Council Appointments – Southeastern Michigan Council of Governments (SEMCOG), Traffic Committee**

**a) Mayoral Appointments:**

Resolution #2021-12-193  
Moved by Baker  
Seconded by Chamberlain-Creanga

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:

**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: City Council Term**

<b>Ellen Hodorek</b>	<b>Alternate</b>
Term currently held by: Ellen Hodorek’s term expired 11/8/2021	

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

<b>Sandra Bachert</b>	<b>Resident Member</b>
Term currently held by: Vacant – P. Hoef resigned 4/27/21	

Yes: All-7  
No: None

**MOTION CARRIED**

Resolution #2021-12-194  
Moved by Baker  
Seconded by Hodorek

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:

**Planning Commission**

Appointed by Mayor  
9 Regular Members  
3 Year Term

**Nominations to the Planning Commission:**

**Term Expires: 12/31/2024**

**Michael Hutson**

Term currently held by: Michael Hutson

**Term Expires: 12/31/2024**

**Dave Lambert**

Term currently held by: Dave Lambert

**Term Expires: 12/31/2024**

**John Tagle**

Term currently held by: John Tagle

Yes: All-7  
No: None

**MOTION CARRIED**

**b) City Council Appointments:**

Resolution #2021-12-195  
Moved by Erickson Gault  
Seconded by Brooks

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

**Southeastern Michigan Council of Governments (SEMCOG)**

Appointed by Council  
1 Regular Member and 1 Alternate Members  
Appointed Every Odd-Year Election

**Nominations to the Southeastern Michigan Council of Governments (SEMCOG):**

**Term Expires: 11/13/2023**

**David Hamilton**

**Delegate**

Term currently held by: David Hamilton

Yes: All-7  
No: None

**MOTION CARRIED**

Resolution #2021-12-196  
Moved by Erickson Gault  
Seconded by Abraham

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

Traffic Committee  
Appointed by Council  
7 Regular Members  
3 Year Term

**Nominations to the Traffic Committee:**

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

**Tyler Koralewski**

Term currently held by: Alankar Shende - Graduates 2021

Yes: All-7  
No: None

**MOTION CARRIED**

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

a) **Mayoral Nominations: None**

b) **City Council Nominations: None**

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**I-3 Request for Closed Session**

Resolution #2021-12-197  
Moved by Baker  
Seconded by Hamilton

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

Yes: All-7  
No: None

**MOTION CARRIED**

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**I-4 Budget Amendment and Standard Purchasing Resolution 2: Low Bidder Meeting Specifications – Replacement of Pump Station Located at the Sanctuary Lake Golf Course (*Introduced by: Nikki McEachern, Assistant Recreation Director*)**

Resolution #2021-12-198  
Moved by Erickson Gault  
Seconded by Abraham

RESOLVED, That Troy City Council hereby **AWARDS** a contract for the Replacement of the Pump Station at Sanctuary Lake Golf Course to low bidder meeting specification, *Mid-Ohio Electric Company of Columbus, OH*, at prices contained in the bid tabulation opened December 2,

2021, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, for an estimated total cost of \$154,967.49 and a 10% contingency not to exceed amount of \$170,500.

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** a budget amendment in the amount of \$170,500 to the Sanctuary Lake Golf Course Buildings and Improvements General Repairs Capital Fund.

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

Yes: All-7  
No: None

**MOTION CARRIED**

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**I-5 Bid Waiver - 12 Inch Cla-Val Pressure Reducing Valve and Controls (*Introduced by: Kurt Bovensiep, Public Works Director*)**

Resolution #2021-12-199  
Moved by Chamberlain-Creanga  
Seconded by Erickson Gault

RESOLVED, That in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **AWARDS** a contract to *Jett Pump & Valve, LLC of Waterford, MI*, for the purchase of one (1) Cla-Val 12 inch model #90-01BCVSY Pressure Reducing Valve as per the prices detailed in the quote for an estimated total cost of \$22,161.00; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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

Yes: All-7  
No: None

**MOTION CARRIED**

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**I-6 Business Engagement and Priority Study (Introduced by: Robert J. Bruner, Assistant City Manager)**

**J. CONSENT AGENDA:**

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

Resolution #2021-12-200-J-1a  
Moved by Abraham  
Seconded by Erickson Gault

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

Yes: All-7  
No: None

## MOTION CARRIED

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

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### J-2 Approval of City Council Minutes

Resolution #2021-12-200-J-2

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

- a) City Council Minutes-Draft – December 6, 2021

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### J-3 Proposed City of Troy Proclamations: None Submitted

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### J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 2: Low Bidder Meeting Specifications – Tee Shirts for Various City Departments**

Resolution #2021-12-200-J-4a

RESOLVED, That Troy City Council hereby **AWARDS** a two (2) year contract with an option to renew for three (3) additional years to provide Tee Shirts for the City of Troy on an as-needed basis to the low bidder meeting specifications, *Express Press of Springfield, MO*, at unit prices contained in the bid tabulation opened December 2, 2021, a copy of which shall be **ATTACHED** to the original Minutes of this meeting; with all expenses not to exceed budgetary limitations; contract to expire November 30, 2026.

- b) **Standard Purchasing Resolution 2: Low Bidder Meeting Specifications – Pool Maintenance/Repair Services and Opening/Closing of the Troy Family Aquatic Center**

Resolution #2021-12-200-J-4b

RESOLVED, That Troy City Council hereby **AWARDS** a contract to provide maintenance and repair services, and opening and closing of the Troy Family Aquatic Center for two (2) years at the City of Troy outdoor and indoor pools (excluding pumps), with two (2), one-year renewal options to the low bidder meeting specifications, *B & B Pool Service & Supply of Livonia, MI*, for an estimated annual cost of \$40,000, at prices contained in the bid tabulation dated December 2, 2021, a copy of which shall be **ATTACHED** to the Minutes of this meeting; contract to expire December 31, 2025.

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

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**J-5 Request for Acceptance of Four Quit Claim Deeds and Twelve Permanent Easements for Eden Gardens Site Condominium, Section 27, Sidwell #88-20-27-451-141, -142 and -143**

Resolution #2021-12-200-J-5

RESOLVED, That Troy City Council **ACCEPTS** two Quit Claim Deeds and six permanent easements for storm sewers and surface drainage, water mains, sidewalks, and sanitary sewers from H & C Construction, LLC, the owner of three parcels having Sidwell #88-20-27-451-141, -142 and -143.

BE IT FURTHER RESOLVED, That Troy City Council **ACCEPTS** two Quit Claim Deeds and six permanent easements for storm sewers and surface drainage, water mains, sidewalks, and sanitary sewers from GFA Eden Gardens, LLC, a land contract vendee to a land contract.

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

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**J-6 2022 Poverty Exemption Guidelines**

Resolution #2021-12-200-J-6

WHEREAS, The adoption of guidelines for poverty exemptions is required of the City Council; and,

WHEREAS, The principal residence of persons, who the Assessor and Board of Review determines by reason of poverty to be unable to contribute to the public charge, is eligible for exemption in whole or in part from taxation under Public Act 390 of 1994 (MCL 211.7u); and,

WHEREAS, Pursuant to PA 390 of 1994, the City of Troy, Oakland County adopts the following guidelines for the Board of Review to implement. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and all persons residing in the household, including any property tax credit returns, filed in the current or immediately preceding year;

WHEREAS, To be eligible, a person shall do all the following on an annual basis:

- 1) Be an owner of and occupy as a principal residence the property for which an exemption is requested.
- 2) File a claim with the assessor or Board of Review, accompanied by federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns filed in the immediately preceding year or in the current year or a signed State Tax Commission Form 4988, Poverty Exemption Affidavit.

- 3) File a claim reporting that the combined assets of all persons do not exceed the current guidelines. Assets include but are not limited to, real estate other than the principal residence, personal property, motor vehicles, recreational vehicles and equipment, certificates of deposit, savings accounts, checking accounts, stocks, bonds, life insurance, retirement funds, etc.
- 4) Produce a valid driver's license or other form of identification if requested.
- 5) Produce, if requested, a deed, land contract, or other evidence of ownership of the property for which an exemption is requested.
- 6) Meet the federal poverty income guidelines as defined and determined annually by the United States Department of Health and Human Services or alternative guidelines adopted by the governing body providing the alternative guidelines do not provide eligibility requirements less than the federal guidelines.
- 7) The application for an exemption shall be filed after January 1, but one day prior to the last day of the December Board of Review. The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal.

The following are the 2022 federal poverty income guidelines which are updated annually by the United States Department of Health and Human Services. The annual allowable income includes income for all persons residing in the principal residence.

Size of Family Unit	Poverty Guidelines
1	\$12,880
2	\$17,420
3	\$21,960
4	\$26,500
5	\$31,040
6	\$35,580
7	\$40,120
8	\$44,660
For each additional person	\$4,540

### Asset Test Guidelines

Used in the Determination of Poverty Exemptions for 2022.

As required by PA 390 of 1994, all guidelines for poverty exemptions established by the governing body of the local assessing unit **SHALL** include an asset level test. The purpose of an asset test is to determine the resources available (cash and fixed assets and property that could be converted to cash) that could be used to pay property taxes in the year the poverty exemption is filed.

The following asset test shall apply to all applications for poverty exemption:

- All household members shall **NOT** have ownership interest in any real estate other than the principal residence for which the poverty exemption is requested.



- The applicant(s) shall not have assets exceeding the amount shown in the chart below based on the size of the family unit.
- The asset Guideline (test) shall exclude the value of the principal residence subject to the poverty exemption request and exclude the value of one automobile. If multiple automobiles are owned, then the least valuable automobile will be excluded from the asset guideline.
- The applicant(s) shall not have total assets (excluding the value of the principal residence subject to the exemption request and excluding the value of one automobile) more than the guidelines set below. Assets exceeding the amounts stated below will result in a denial of the poverty exemption.

<b>Size of Family Unit</b>	<b>Asset Guidelines</b>
1	\$5,000
2	\$10,000
3	\$15,000
4	\$20,000
5	\$20,000
6	\$20,000
7	\$20,000
8	\$20,000
For each additional person	N/A

All asset information, as requested in the Application for Poverty Exemption, must be completed in total. The Board of Review may request additional information and verification of assets, if the Board of Review determines it to be necessary and may deny an application if the assets are not properly identified.

Cash and other assets include but are not limited to:

- Bank accounts i.e., savings, checking.
- Stocks and bonds, pensions, IRAs and other investment accounts
- Withdrawals of bank deposits and borrowed money.
- Gifts, loans, lump-sum inheritances, and one-time insurance payments
- Money received from the sale of property such as stocks, bonds, a house, or a car unless a person is in the specific business of selling such property.
- Second home, rental property, or building/property other than the residence.
- Excess or vacant land
- Extraordinary automobiles
- Jewelry, antiques, or artworks
- Recreational vehicles\*
- Equipment or other personal property.
- Federal non-cash benefits programs such as Medicare, Medicaid, food stamps and school lunches
- Food or housing received in lieu of wages and the value of food and fuel produced and consumed on farms

\* Recreational vehicles may include snowmobiles, boats, camping trailers, travel trailers, motor home, jet ski, motorcycles, off road vehicles, or anything which may be considered a recreational vehicle

NOW, THEREFORE, BE IT RESOLVED, That the Assessor and Board of Review **SHALL FOLLOW** the above stated policy, federal guidelines, and asset test in granting or denying an exemption.

**J-7 Gillman as Personal Representative of the Estate of Megan Ann Miller v. Troy, et al.**

Resolution #2021-12-200-J-7

RESOLVED, That the Troy City Council hereby **AUTHORIZES** and **DIRECTS** the City Attorney’s Office to represent Troy’s interests in the matter of Gillman as Personal Representative of the Estate of Megan Ann Miller (Deceased) v. Troy *et al.* U.S. District Court, Eastern District of Michigan, Case Number 2:21-cv-12762, and **AUTHORIZES** the payment of necessary costs and expenses, including the retention of any witnesses (including experts) that are required for adequate representation.

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

**K-1 Announcement of Public Hearings:**

- a) January 10, 2022 - Zoning Ordinance Text Amendment (File Number ZOTA 256) – Apartments in BB (Big Beaver) Zoning District

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

**L. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA FROM TROY RESIDENTS AND BUSINESSES:**

Gail Morrell	Commented about the noise level from I-75
Susan Saxton	Commented about the noise level from I-75
Luis Pugliese	Commented about the noise level from I-75
Lorraine Scussel	Commented about the noise level from I-75

**M. CITY COUNCIL/CITY ADMINISTRATION RESPONSE/REPLY TO PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA FROM TROY RESIDENTS AND BUSINESSES:**

City Manager Miller	Commented that he has sent letters to the Governor and the Director of MDOT. The Director responded, and State Senator McMorro worked on providing additional funding. He said that City Engineer Huotari said that a study has not been ordered yet. Mr. Miller said that this is a State project. He said that this Wednesday, he has a meeting with State legislators and he will bring this up.
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Mayor Baker	Commented that the City wishes we could build the sound wall ourselves, however, the State owns the land and we are not allowed.
Council Member Hodorek	Commented that she assures residents that Council brings this up in every meeting with local and State officials. She said that she thinks it would be appropriate for Council to state that we support the residents' need for a sound wall. She said it takes time and patience, unfortunately. She said perhaps Council could do another proclamation to the State requesting the sound wall, and include the signatures that the residents have collected.
Mayor Baker	Stated that there is consensus of Council to consider a proclamation at the next Council meeting.
Council Member Hamilton	Thanked the residents for organizing and putting pressure on State officials to solve this problem. He said that this should not be paid for with Troy taxpayers' money, it should be paid for by the State since it is a problem the State caused.
Mayor Baker	Commented that this problem is talked about and thought about almost daily, and it is very frustrating for Council to not be able to take action. He said sometimes the only thing residents can do is continue to get community support, signatures, and pressuring the State officials. He said that he will reach out again to the officials at the State and County levels.

## N. COUNCIL REFERRALS:

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

**N-1 No Council Referrals**

## O. REPORTS:

### O-1 Minutes – Boards and Committees:

- a) Employees' Retirement System Board of Trustees-Final – February 10, 2021
- b) Employees' Retirement System Board of Trustees-Final – November 10, 2021  
Noted and Filed

**O-2 Department Reports: None Submitted**

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

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

**P. COUNCIL COMMENTS:****P-1 Council Comments**

Mayor Baker wished everyone a Merry Christmas and Happy New Year. He said our next Council meeting is in January. He encouraged everyone to keep in mind those around them who may be struggling with mental health, and to reach out to them so they know they aren't alone during the holidays.

**Q. PUBLIC COMMENT FOR ITEMS ON OR NOT ON THE AGENDA FROM MEMBERS OF THE PUBLIC OUTSIDE OF TROY (NOT RESIDENTS OF TROY AND NOT FROM TROY BUSINESSES):**

Anand Pappuri	Commented that he would like to see the City of Troy adopt a clean energy policy, possibly utilizing the infrastructure bill funding.
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The Meeting **RECESSED** at 8:54 PM.

The Meeting **RECONVENED** at 9:07 PM.

**R. CLOSED SESSION****R-1 Closed Session****S. ADJOURNMENT:**

The Meeting **ADJOURNED** at 9:53 PM.

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Mayor Ethan Baker

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M. Aileen Dickson, MMC, MiPMC II  
City Clerk

**2022 SCHEDULED SPECIAL CITY COUNCIL MEETINGS:**

April 4, 2022..... Special Budget Study Meeting  
April 6, 2022..... Special Budget Study Meeting

**2022 SCHEDULED REGULAR CITY COUNCIL MEETINGS:**

January 10, 2022 ..... Regular Meeting  
January 24, 2022 ..... Regular Meeting  
February 14, 2022..... Regular Meeting  
February 28, 2022..... Regular Meeting  
March 14, 2022 ..... Regular Meeting  
March 21, 2022 ..... Regular Meeting  
April 11, 2022 ..... Regular Meeting  
April 25, 2022 ..... Regular Meeting  
May 9, 2022 ..... Regular Meeting  
May 23, 2022 ..... Regular Meeting  
June 13, 2022 ..... Regular Meeting  
June 27, 2022 ..... Regular Meeting  
July 11, 2022..... Regular Meeting  
July 25, 2022..... Regular Meeting  
August 15, 2022..... Regular Meeting  
August 22, 2022..... Regular Meeting  
September 12, 2022 ..... Regular Meeting  
September 19, 2022 ..... Regular Meeting  
October 3, 2022 ..... Regular Meeting  
October 24, 2022 ..... Regular Meeting  
November 14, 2022 ..... Regular Meeting  
November 21, 2022 ..... Regular Meeting  
December 5, 2022 ..... Regular Meeting  
December 12, 2022 ..... Regular Meeting