

Pastor Chris Brooks from Woodside Bible Church 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 January 10, 2022, 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
- Theresa Brooks
- Rebecca A. Chamberlain-Creanga
- Ann Erickson Gault
- David Hamilton
- Ellen Hodorek

Excuse Absent Council Members:

Resolution #2022-01-001
Moved by Baker
Seconded by Brooks

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of Council Member Chamberlain-Creanga and Council Member Hamilton at the Regular City Council Meeting of January 10, 2022, due to medical issues.

Yes: Baker, Abraham, Brooks, Erickson Gault, Hodorek
No: None
Absent: Chamberlain-Creanga, Hamilton

MOTION CARRIED

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

C-1 No Certificates of Recognition and Special Presentations

D. CARRYOVER ITEMS:

D-1 No Carryover Items

E. PUBLIC HEARINGS:

E-1 Zoning Ordinance Text Amendment (File Number ZOTA 256) – Apartments in BB (Big Beaver) Zoning District

The Mayor opened the Public Hearing. The Mayor closed the Public Hearing after receiving no Public Comment.

Resolution #2022-01-002
 Moved by Erickson Gault
 Seconded by Abraham

RESOLVED, That Troy City Council hereby **AMENDS** Article 5 of Chapter 39 of the Code of the City of Troy, which includes provisions related to permitted uses in the BB (Big Beaver) Zoning District, to read as written in the proposed Zoning Ordinance Text Amendment (ZOTA 256), City Council Public Hearing Draft, as recommended by the Planning Commission; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: Abraham, Brooks, Erickson Gault, Hodorek, Baker
 No: None
 Absent: Chamberlain-Creanga, Hamilton

MOTION CARRIED

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

Susan Saxton	Commented on Item N-01
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G. CITY COUNCIL/CITY ADMINISTRATION RESPONSE/REPLY TO PUBLIC COMMENT FOR ITEMS ON THE AGENDA FROM TROY RESIDENTS AND BUSINESSES:

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 – Board of Review,; b) City Council Nominations – Building Code Board of Appeals

a) Mayoral Nominations:

Resolution #2022-01-003
 Moved by Baker
 Seconded by Erickson Gault

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

Nominations to the Board of Review:

Term Expires: 1/31/2025

Michele Shoan

Term currently held by: Michele Shoan

Yes: Brooks, Erickson Gault, Hodorek, Baker, Abraham
No: None
Absent: Chamberlain-Creanga, Hamilton

MOTION CARRIED

b) City Council Nominations:

Resolution #2022-01-004
Moved by Erickson Gault
Seconded by Hodorek

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:

Building Code Board of Appeals
Appointed by Council

5 Regular Members: Three (3) Residents with background, training or experience in construction or similar trades; at least one shall be a professional structural or civil engineer of architectural engineering experience; Two (2) by Ordinance - City Manager and Oakland County Health Department Representative
5 Year Term

Nominations to the Building Code Board of Appeals:

Term Expires: 1/1/2027

Gary Abitheira

Term currently held by: Gary Abitheira

Yes: Erickson Gault, Hodorek, Baker, Abraham, Brooks
No: None
Absent: Chamberlain-Creanga, Hamilton

MOTION CARRIED

I-3 No Closed Session Requested

I-4 Budget Amendment – Troy Downtown Development Authority (*Introduced by: Kurt Bovensiep, Public Works Director*)

Resolution #2022-01-005

Moved by Abraham

Seconded by Brooks

RESOLVED, That Troy City Council hereby **APPROVES** a budget amendment of \$125,000 to the Parks Maintenance Street Island Maintenance - DDA Contractual Services General account to move forward with a contract with *OHM Advisors, of Livonia, MI*, and the Troy Downtown Development Authority to redesign the landscaping and associated improvements to the publicly owned property within the district.

Yes: Hodorek, Baker, Abraham, Brooks, Erickson Gault

No: None

Absent: Chamberlain-Creanga, Hamilton

MOTION CARRIED

I-5 Bid Waiver and Standard Purchasing Resolution 7: Proprietary Maintenance Service Contract – Vermont Systems Recreation and Parks Software (*Introduced by: Brian Goul, Recreation Director*)

Resolution #2022-01-006

Moved by Abraham

Seconded by Hodorek

RESOLVED, That Troy City Council, in the best interest of the City, hereby **WAIVES** formal bidding procedures and **AWARDS** the proprietary maintenance service contract to *Vermont Systems, Inc. of Essex Junction, VT* to provide software maintenance for RecTrac and WebTrac for the Recreation Department for an estimated amount of \$10,182.58.

BE IT FURTHER RESOLVED, That Troy City Council **AUTHORIZES** the ongoing usage of the Vermont Systems proprietary software as needed by the Recreation Department.

Yes: Baker, Abraham, Brooks, Erickson Gault, Hodorek

No: None

Absent: Chamberlain-Creanga, Hamilton

MOTION CARRIED

I-6 Seventh Order Amending Meritor and Nelson Companies Consent Judgment (*Introduced by: Lori Grigg Bluhm, City Attorney*)

Resolution #2022-01-007
Moved by Erickson Gault
Seconded by Brooks

RESOLVED, That Troy City Council hereby **APPROVES** the attached Seventh Order Amending Consent Judgment in the *Meritor Automotive, Inc. and The Nelson Companies, Inc. v City of Troy* lawsuit, Case Number 94-948784 CZ. This proposed amendment would facilitate the development as proposed on a revised Preliminary Site Plan.

BE IT FURTHER RESOLVED, That Troy City Council **AUTHORIZES** the Mayor, City Clerk and City Attorney to execute the document on behalf of the City after all other necessary parties have executed it. If approved, Warrior Baseball Complex LLC is responsible for recording the executed Stipulation and Seventh Order Amending Consent Judgment with the Oakland County Register of Deeds; a copy of which shall be attached to the original Minutes of this meeting.

BE IT FURTHER RESOLVED, That Troy City Council also **APPROVES** the Preliminary Site Plan for the proposed Warrior Baseball Indoor Hitting Facility, including other site improvements, located at 1735 and 1515 Equity, Section 32. This Preliminary Site Plan was prepared by Integrated Design Solutions, and revises and updates the exhibits to the Consent Judgment in the *Meritor Automotive, Inc. and The Nelson Companies, Inc. v City of Troy* lawsuit, Case Number 94-948784 CZ, and reflects the parties' agreement as to the proposed development on the property.

Yes: Abraham, Brooks, Erickson Gault, Hodorek, Baker
No: None
Absent: Chamberlain-Creanga, Hamilton

MOTION CARRIED

J. CONSENT AGENDA:

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

Resolution #2022-01-008-J-1a
Moved by Abraham
Seconded by Brooks

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

Yes: Brooks, Erickson Gault, Hodorek, Baker, Abraham
No: None
Absent: Chamberlain-Creanga, Hamilton

MOTION CARRIED

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

J-2 Approval of City Council Minutes

Resolution #2022-01-008-J-2

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

- a) City Council Minutes-Draft – December 13, 2021

J-3 Proposed City of Troy Proclamations:

Resolution #2022-01-008-J-3

- a) Service Commendation for Information Technology Director Gert Paraskevin
- b) Proclamation Celebrating Max and Sophia Pollack for Organizing Holiday Food Drives to Feed the Needy

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 5: Approval to Expend Budgeted Funds – Snow Removal Services**

Resolution #2022-01-008-J-4a

RESOLVED, That Troy City Council hereby **AUTHORIZES** City of Troy Administration to extend prices established in Proposal A and Proposal B as identified in Resolution #2021-10-148-J4b to additional vendors meeting requirements for snow and ice removal on City-owned facilities and grounds.

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

J-5 Recommended Pay Ranges for Part-time Classifications - Correction

Resolution #2022-01-008-J-5

WHEREAS, The Pay Ranges for Part-time Classifications dated January 1, 2022 have been updated to correct for an error on the previously approved version.

THEREFOER, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the corrected version of the Pay Ranges for Part-time Classifications dated January 1, 2022.

J-6 Contract Extension - Police IT Resources

Resolution #2022-01-008-J-6

WHEREAS, On December 4, 2017, Troy City Council awarded a two-year contract to provide Police IT Resources with an option to renew for two (2) additional years to sole bidder BPI Information Systems of Farmington Hills, MI (Resolution #2017-12-192-J-4b); and,

WHEREAS, BPI Information Systems has met all expectations and contract terms and conditions in accordance with RFP-COT 17-14; and,

WHEREAS, BPI Information Systems has agreed to extend its contract for one (1) additional year under the same prices, terms and conditions; and,

WHEREAS, A market survey was conducted which verified that the current contract pricing provided by BPI continues to be competitive and the best value for the City;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **DEEMS** it to be in the City's best interest to **APPROVE** and **EXTEND** the contract with *BPI Information Services of Farmington Hills, MI* for one (1) additional year to provide Police IT Resources to the Troy Police Department for an estimated annual cost of \$89,000 under the same contract prices, terms and conditions as the original bid; not to exceed budgetary limitations with the contract expiring December 31, 2022.

J-7 Private Agreement – Contract for Installation of Municipal Improvements – Meadows of Troy Detached Condominiums – Project No. 19.917.3

Resolution #2022-01-008-J-7

RESOLVED, That Troy City Council hereby **APPROVES** the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Robertson Meadows, LLC for the installation of Water Main, Sanitary Sewer, Storm Sewer, Detention Pond, Asphalt Pavement and Concrete Sidewalk, and the Mayor and City Clerk are **AUTHORIZED** to execute the documents; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-8 3385 Rochester Road LLC v. Oakland County and the City of Troy

Resolution #2022-01-008-J-8

RESOLVED, That Troy City Council hereby **AUTHORIZES** and **DIRECTS** the City Attorney's Office to represent the City of Troy in the matter of *3385 Rochester Road LLC v. Oakland County and the City of Troy*, Eastern District of Michigan Federal Case Number 21-cv-12785, and **AUTHORIZES** the payment of necessary costs and expenses that are required to adequately represent the Troy Defendant.

J-9 Request to Vacate a Portion of Sanitary Sewer Easement – Sidwell #88-20-21-352-016 and for Acceptance of Two Permanent Easements – Sidwell #88-20-21-352-016 and -017

Resolution #2022-01-008-J-9

RESOLVED, That Troy City Council hereby **VACATES A PORTION** of sanitary sewer previously granted to the City of Troy and recorded in Liber 8548 Page 846, Oakland County Register of Deeds.

BE IT FURTHER RESOLVED, That Troy City Council **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** a Quit Claim Deed returning the City of Troy's interest in a portion of sanitary sewer recorded in Liber 8548 Page 846 to Zen Troy, LLC, owner of the property having Sidwell #88-20-21-352-016.

BE IT FURTHER RESOLVED, That Troy City Council **ACCEPTS** a sanitary sewer easement from Zen Troy, LLC, owner of the property having Sidwell #88-20-21-352-016.

BE IT FURTHER RESOLVED, That Troy City Council **ACCEPTS** a sanitary sewer easement from Troy 888, LLC, owner of the property having Sidwell #88-20-21-352-017.

BE IT FINALLY RESOLVED, That the City Clerk is hereby **DIRECTED TO RECORD** the Quit Claim Deed and two permanent easements with Oakland County Register of Deeds, copies 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. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA FROM TROY RESIDENTS AND BUSINESSES:

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

N. COUNCIL REFERRALS:

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

N-1 Council Referral from Council Member Ellen Hodorek – Proclamation Affirming Importance of Ongoing Efforts to Address Sound Issues from the Modernize I-75 Project

Resolution #2022-01-009

Moved by Hodorek

Seconded by Brooks

WHEREAS, The Troy City Council first issued a proclamation a year ago to express our unanimous concern and request for help to address the adverse impact the Modernize I-75 project is having on the quality of life of a significant number of residents in our community; and,

WHEREAS, The City pursued and exhausted any options available to it jurisdictionally to address this on behalf of its affected property owners; and,

WHEREAS, We know our elected officials both at the state and federal levels understand the issue, and we were appreciative when Senator Mallory McMorrow and Representative Padma Kuppa provided information that funds had been secured through the state budget to conduct another sound study to comprehend the sound levels post construction; and,

WHEREAS, Until that study is completed we continue to hear from numerous residents, including hundreds who have signed a petition reaffirming the noise level continues to adversely impact their quality of life and who are frustrated at both the length of time it takes to address their concern and the fact that the State of Michigan does not have a state-funded, highway noise abatement program to address local issues;

NOW, THEREFORE, BE IT RESOLVED, That Troy City Council **REAFFIRMS** its resolution of a year ago and wishes to express its support for the hundreds of residents — including those who signed the petition attached to this proclamation — seeking a solution for this frustrating issue even as we await the results of the follow up sound study.

BE IT FURTHER RESOLVED, That Troy City Council is **APPRECIATIVE** of the efforts and ongoing attention to this matter on the part of all of our elected officials because addressing it is in the best interest of the City of Troy to do so.

Yes: Erickson Gault, Hodorek, Baker, Abraham, Brooks

No: None

Absent: Chamberlain-Creanga, Hamilton

MOTION CARRIED

O. REPORTS:

O-1 Minutes – Boards and Committees:

- a) Parks and Recreation Board-Final – September 16, 2021
 - b) Parks and Recreation Board-Final – October 7, 2021
 - c) Parks and Recreation Board-Draft – November 18, 2021
- Noted and Filed

O-2 Department Reports: None Submitted

O-3 Letters of Appreciation:

- a) From Eureka Building Company Regarding Excellent Customer Service
- Noted and Filed

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

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

Council Member Brooks commented that Monday is Martin Luther King Jr. Day. She said that for many it is a day of relaxation, but she hopes everyone will reflect on the legacy of Dr. King. She said that the Troy School District will be broadcasting a program online, and specific information will follow.

Council Member Chamberlain-Creanga commented that the new year started with lots of hope, but COVID is still around and so contagious. She said her hope and prayer today, on her birthday, is that everyone stays safe and healthy. She said she would've liked to see the remote meetings allowance continue, however, the State Legislature decided not to extend it.

Council Member Chamberlain-Creanga commented that it is important for Council to stay united in the I-75 noise issue, and the resolution tonight is a good step that Council can take in this fight. She said that perhaps there could be a virtual town hall in regards to the I-75 noise issue, including elected officials and City Management.

Mayor Baker commented that he hopes to see consensus from Council to ask City Management to encourage apartment complexes to participate in recycling. There was consensus to ask City Manager Miller to look into this.

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):**R. CLOSED SESSION****R-1 No Closed Session****S. ADJOURNMENT:**

The Meeting **ADJOURNED** at 8:17 PM.

Mayor Ethan Baker

M. Aileen Dickson, MMC, MiPMC II
City Clerk