

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 June 27, 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-Absent
- Ellen Hodorek

Excuse Absent Council Members:

Resolution #2022-06-086

Moved by Baker

Seconded by Chamberlain-Creanga

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of Council Member Hamilton at the Regular City Council Meeting of June 27, 2022, due to being out of the county.

Yes: All-7

No: None

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 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:

H-1 No Postponed Items

I. REGULAR BUSINESS:

I-1 Board and Committee Appointments: a) Mayoral Appointments – None; b) City Council Appointments – Employees Retirement System Board of Trustees/Retiree Health Care Benefits Plan and Trust, Liquor Advisory Committee, Southeastern Michigan Council of Governments (SEMCOG)

a) Mayoral Appointments: None

b) City Council Appointments:

Resolution #2022-06-087

Moved by Erickson Gault

Seconded by Brooks

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

Employees Retirement System Board of Trustees / Retiree Health Care Benefits Plan and Trust

Appointed by Council

7 Regular Members and 2 Ordinance Member

3 Year Term

Nominations to the Employees Retirement System Board of Trustees / Retiree Health Care Benefits Plan and Trust:

Term Expires: 12/31/2024

John Foster

Council Appointed Citizen

Term currently held by: Mark Calice

Yes: All-7

No: None

MOTION CARRIED

Resolution #2022-06-088

Moved by Erickson Gault

Seconded by Hodorek

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

Liquor Advisory Committee

Appointed by Council
7 Regular Members
3 Year Term

Nominations to the Liquor Advisory Committee:

Term Expires: 1/31/2025

David Haight

Term currently held by: David Haight

Yes: All-7
No: None

MOTION CARRIED

Resolution #2022-06-089
Moved by Erickson Gault
Seconded by Chamberlain-Creanga

RESOLVED, That Troy City Council 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 Member
Appointed Every Odd-Year Election

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

Term Expires: 11/13/2023

Mark Adams

Alternate

Yes: All-7
No: None

MOTION CARRIED

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

a) Mayoral Nominations:

Resolution #2022-06-090

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:

Downtown Development Authority

Appointed by Mayor
13 Regular Members
4 Year Term

Nominations to the Downtown Development Authority:

**Unexpired Term Expiring:
9/30/2022**

Kathleen Garmo

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

Yes: All-7
No: None

MOTION CARRIED

b) **City Council Nominations:** None

I-3 Request for Closed Session

Resolution #2022-06-091
Moved by Baker
Seconded by Erickson Gault

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

Yes: All-7
No: None

MOTION CARRIED

I-4 Fiscal Year 2022 Budget Amendments (*Introduced by: Rob Maleszyk, Chief Financial Officer*)

Resolution #2022-06-092
Moved by Abraham
Seconded by Brooks

RESOLVED, that Troy City Council hereby AUTHORIZES City Management to amend the Current Fiscal Year 2022 General Fund Budget as detailed below:

Revenues

State Shared Revenue..... **\$898,834**

Total General Fund Revenue Increase \$898,834

Expenditures

General Government:

Purchasing..... \$ 45,000

Human Resources 105,000

Total General Government: \$150,000

Public Works:

Transportation..... \$ 65,000

Streets/Drains 400,000

Total Public Works: \$465,000

Public Safety:

Fire..... \$183,834

Total Public Safety: \$183,834

Recreation and Culture:

Parks..... \$100,000

Total Recreation and Culture: \$100,000

Total General Fund Expenditures Increase \$898,834

Net General Fund Change..... \$ -

BE IT FURTHER RESOLVED, that Troy City Council Herby AUTHORIZES City Management to amend the Current Fiscal Year 2022 Transit Center Fund Budget as follows:

Transit Center:

Building and Facility Maintenance..... \$5,000

Use of Fund Balance (5,000)

Net Transit Center Fund Change:..... \$ -

BE IT FURTHER RESOLVED, that Troy City Council Herby AUTHORIZES City Management to amend the Current Fiscal Year 2022 Community Development Block Grant Fund Budget as follows:

Community Development Block Grant:

Home Chore Program\$10,000
Federal Revenue Increase (Offset) (10,000)

Net Community Development Block Grant Change:.....\$ -

Yes: All-7
No: None

MOTION CARRIED

I-5 Chapter 49 – Mobile Food Vending Units Ordinance and Request to Amend Chapter 60 – Fees and Bonds Required (*Introduced by: Aileen Dickson, City Clerk*)

Resolution #2022-06-093
Moved by Hodorek
Seconded by Abraham

RESOLVED, That Troy City Council hereby **APPROVES** Chapter 49 – Mobile Food Vending Units Ordinance; and **AMENDS** Chapter 60-Fees and Bonds Required, as indicated.

Yes: All-7
No: None

MOTION CARRIED

J. CONSENT AGENDA:

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

Resolution #2022-06-094-J-1a
Moved by Abraham
Seconded by Chamberlain-Creanga

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 #2022-06-04-J-2

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

- a) City Council Minutes-Draft – June 13, 2022

J-3 Proposed City of Troy Proclamations:

Resolution #2022-06-094-J-3

- a) Proclamation Celebrating Transportation Insight and Nolan Transportation Group for Planting Trees at Boulan Park in the City of Troy

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 5: Approval to Expend Budgeted Funds – DPW Pickup Truck Snow Plow**

Resolution #2022-06-094-J-4a

RESOLVED, That Troy City Council hereby **APPROVES** expending budgeted capital funds to *Bostick Truck of Pontiac, MI*, for the purchase and installation of a Western Pro Plus Snow Plow on a recently acquired DPW pickup truck for an estimated total cost of \$6,489.00; not to exceed budgetary limitations.

J-5 2022 Revised Poverty Exemption Guidelines Resolution

Resolution #2022-06-094-J-5

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 253 of 2020 (MCL 211.7u); and,

WHEREAS, pursuant to PA 253 of 2020, the City of Troy, Oakland County adopts the following guidelines for the Board of Review to follow. 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;

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

- 1) Own and occupy the property as a principal residence.
- 2) File Form 5737 Application for MCL 211.7u Poverty Exemption with the Assessor/Board of Review, accompanied by federal and state income tax returns for the current or immediately preceding year, including any property tax credits, for all persons residing in the principal residence (disclosure of the income of an owner who is not residing in the

principal residence is not required). Federal and state income tax returns are not required for a person residing in the principal residence if that person was not required to file a federal or state income tax return. Instead, Form 4988, *Poverty Exemption Affidavit* may be filed for all persons residing in the residence who were not required to file federal or state income tax returns in the current or immediately preceding year.

- 3) Produce a valid driver's license or other form of identification, if requested.
- 4) Produce a deed, land contract, or other evidence of ownership of the property, if requested
- 5) Meet the federal poverty income guidelines published in the prior calendar year in the Federal Register by the United States Department of Health and Human Services or alternative guidelines adopted by the local assessing unit. The Alternative guidelines cannot provide income eligibility requirements less than the federal guidelines.
- 6) Meet the asset level test adopted by the local assessing unit.

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 253 of 2020, all guidelines for poverty exemptions established by the governing body of the local assessing unit must include an asset level test. This asset test must clearly state the minimum value of all assets allowable to be eligible for the poverty exemption. This means that the guidelines must state a total dollar amount and the value of all assets cannot exceed the total dollar amount.

The purposed of an asset test is to determine the resources available: cash, fixed assets or other property that could be converted to cash and used to pay property taxes in the year the poverty exemption is filed. The local unit asset test **cannot** include the value of the principal residence.

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

- 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.

Size of Family Unit	Asset Guidelines
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.

The following is a list of assets that are included in the asset test:

- A second home, land, vehicles
- Recreational vehicles such as campers, motor-homes, boats and ATV's
- Buildings other than the residence
- Jewelry, antiques, artworks
- Equipment, other personal property of value
- Bank accounts (over a specified amount), stocks
- Money received from the sale of property, such as, stocks, bonds, a house or car (unless a person is in the specific business of selling such property)
- Withdrawals of bank deposits and borrowed money
- Gifts, loans, lump-sum inheritances and one-time insurance payments
- Food or housing received in lieu of wages and the value of food and fuel produced and consumed on farms
- Federal non-cash benefits programs such as Medicare, Medicaid, food stamps and school lunches

NOW, THEREFORE, BE IT RESOLVED, That the Board of Review **SHALL FOLLOW** the above stated policy, federal guidelines, and asset test in granting or denying an exemption. The Board of Review is not permitted to deviate from the adopted policy and guidelines.

J-6 Assessment of Delinquent Accounts

Resolution #2022-06-094-J-6

WHEREAS, Section 1.167 of Chapter 5 and Section 6 of Chapter 20 of the Ordinance Code of the City of Troy require that delinquent payments and invoices, as of April 1st each year, shall be reported to City Council. City Council shall certify the list to the City Assessor who shall assess the same on the next annual City Tax Roll; and,

WHEREAS, Section 10.8 of the Troy City Charter provides for the collection of delinquent invoices through property tax collection procedures; and,

WHEREAS, a list of individual properties is on file in the Office of the Treasurer and comprises a summation of totals as follows:

➤ Delinquent invoices (various funds)	\$ 88,146.54
➤ Delinquent water & sewer accounts.....	\$ 668,002.36
Total Assessments including penalties.....	\$ 756,148.90

NOW, THEREFORE, BE IT RESOLVED, That the City Assessor is here **AUTHORIZED** to assess these delinquent accounts on the annual City Tax Roll.

J-7 First Amendment to Lowry Street Tower Lease

Resolution #2022-06-094-J-7

NOW, THEREFORE, BE IT RESOLVED, That the Troy City Council **APPROVES** the attached First Amendment to the Lease Agreement for the Lowery Street communication tower, and **AUTHORIZES** the City Manager to execute the First Amendment on behalf of the City of Troy.

J-8 Scheduled Contract Reopener with Great Lakes Water Authority – Amendment #4

Resolution #2022-06-094-J-8

WHEREAS, In 2008, the City of Troy and Great Lakes Water Authority (GLWA) entered into a 30-year contract to provide water to the City of Troy which included a contract reopener in the 15th year to adjust factors used to develop annual water rates and allow opportunity for minor clarifications of contract language;

WHEREAS, These adjustment factors include pressures, peak hour, max day, and annual volumes in which the City of Troy has been able to control successfully through shifting peak hour usage into the exclusionary period of 11 P.M. to 5 A.M.;

WHEREAS, The City of Troy continues to educate and invest in community capital improvement projects as required in this contract;

NOW THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the attached Amendment #4 to the 30-year contract to provide wholesale water between the City of Troy and Great Lakes Water Authority, as recommended by the City Administration, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-9 Legal Representation Agreement – VanOverbeke, Michaud & Timmony, P.C.

Resolution #2022-06-094-J-9

RESOLVED, That Troy City Council hereby **APPROVES** the *Legal Representation Agreement with VanOverbeke, Michaud & Timmony, P.C.*, as outlined in the memorandum and **INSTRUCTS** Chief Financial Officer, Robert C. Maleszyk, to sign the agreement on behalf of the City; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-10 Robinson Capital Management, LLC – Investment Advisory Agreement

Resolution #2022-06-094-J-10

RESOLVED, That Troy City Council hereby **APPROVES** the *Investment Advisory Agreement with Robinson Capital Management, LLC*, as outlined in the memorandum and **INSTRUCTS** Chief Financial Officer, Robert C. Maleszyk, to sign the agreement on behalf of the City; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-11 Request for Acceptance of Two Permanent Easements from Kutumba Rao Hanumolu and Indira Ramani Hanumolu, Sidwell #88-20-237-478-013

Resolution #2022-06-094-J-11

RESOLVED, That Troy City Council hereby **ACCEPTS** two permanent easements for storm sewers and surface drainage, and sidewalks from Kutumba Rao Hanumolu and Indira Ramani Hanumolu owners of the property having Sidwell #88-20-27-478-013.

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

J-12 Request for Acceptance of Two Permanent Easements from Russell Mihm and Lilit Mihm, Sidwell #88-20-28-477-042

Resolution #2022-06-094-J-12

RESOLVED, That Troy City Council hereby **ACCEPTS** two permanent easements for storm sewers and surface drainage, and sidewalks from Russell Mihm and Lilit Mihm owners of the property having Sidwell #88-20-28-477-042.

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

J-13 Request to Vacate a Permanent Easement and to Accept an Easement for Public and Franchise Utilities, Meadows of Troy, Sidwell #88-20-01-300-016

Resolution #2022-06-094-J-13

RESOLVED, That Troy City Council hereby **VACATES** a permanent easement for public and franchise utilities granted to the City of Troy and recorded in Liber 57827 Page 892, Oakland County Register of Deeds, and

BE IT 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 the public and franchise utilities granted to the City of Troy and recorded in Liber 57827 Page 892 to Robertson Meadows, LLC, owner of the property having Sidwell #88-20-01-300-016, and

BE IT FURTHER RESOLVED, That Troy City Council hereby **ACCEPTS** a permanent easement for public and franchise utilities from Robertson Meadows, LLC, owner of the property having Sidwell #88-20-01-300-016, and

BE IT FINALLY RESOLVED, That the City Clerk is hereby **DIRECTED to RECORD** the Quit Claim Deed and permanent easement 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:

Cheryl Kapas	Spoke in opposition to City Council's decision at the last Council Meeting regarding a development
Tony Kapas	Spoke in opposition to City Council's decision at the last Council Meeting regarding a development
Vinodh Mudaliar	Spoke regarding the need for cricket fields in Troy

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

Council Member Abraham	Responded to Mr. and Mrs. Kapas' comments regarding cluster developments
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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 Submitted

O. REPORTS:

O-1 Minutes – Boards and Committees:

- a) Zoning Board of Appeals-Final – April 19, 2022
- b) Planning Commission-Final – May 24, 2022
Noted and Filed

O-2 Department Reports:

- a) Proclamations and Congratulatory Certificates
Noted and Filed

O-3 Letters of Appreciation:

- a) To Mark F. Miller from American Society for Public Administration (ASPA) Regarding 2022 Outstanding Executive Official Award
- b) To the Fire Department Regarding Assistance with a Fire Incident in Holly, MI
Noted and Filed

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

P. COUNCIL COMMENTS:

P-1 Council Comments

Council Member Brooks wished everyone a happy Fourth of July and stressed the importance of being safe when using fireworks.

Council Member Hodorek asked that City Administration provide information on the firework guidelines on the City's social media platforms.

Council Member Hodorek commented on the Letters of Appreciation to the Fire Department for their assistance with a fire incident in Holly, Michigan and Mark Miller for receiving the 2022 Outstanding Executive Official Award from the American Society of Public Administration.

Council Member Chamberlain-Creanga commented that Mark Adams is in Washington DC promoting Global Troy.

Council Member Chamberlain-Creanga commented on trust building and shared ways trust is achieved between City Council, City Administration and the residents of Troy.

Mayor Baker commented on the dedication of the Firefighters Memorial and Firefighters Park held on June 26, 2022. He encourages everyone to visit the park and check out the memorial.

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):

The Meeting **RECESSED** at 8:44 PM.
The Meeting **RECONVENED** at 8:45 PM.

R. CLOSED SESSION

R-1 Closed Session

S. ADJOURNMENT:

The Meeting **ADJOURNED** at 9:05 PM.

Mayor Ethan Baker

M. Aileen Dickson, MMC, MiPMC II
City Clerk

2022 SCHEDULED SPECIAL CITY COUNCIL MEETINGS:

November 19, 2022 City of Troy Advance

2022 SCHEDULED REGULAR CITY COUNCIL MEETINGS:

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