

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 July 11, 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

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

- C-1** Proclamation Celebrating Transportation Insight and Nolan Transportation Group for Planting Trees at Boulan Park in the City of Troy

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 – Downtown Development Authority; b) City Council Appointments – None

- a) Mayoral Appointments:

Resolution #2022-07-095

Moved by Baker

Seconded by Brooks

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:

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 Appointments:** None

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

a) **Mayoral Nominations:** None

b) **City Council Nominations:**

Resolution #2022-07-096

Moved by Erickson Gault

Seconded by Abraham

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:

Liquor Advisory Committee

Appointed by Council

7 Regular Members

3 Year Term

Nominations to the Liquor Advisory Committee:**Term Expires: 1/31/2025****Matthew Martin**

Term currently held by: Andrew Kaltsounis

Yes: All-7

No: None

MOTION CARRIED

I-3 No Request for Closed Session

I-4 Proclamations and Congratulatory Certificates (*Introduced by: Robert J. Bruner, Assistant City Manager*)

Resolution #2022-07-097

Moved by Baker

Seconded by Abraham

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: All-7

No: None

MOTION CARRIED

I-5 Bid Waiver – HAAS Alert: Safety Cloud Advanced Collision Prevention System – Fire Department (*Introduced by: Pete Hullinger, Fire Chief*)

Resolution #2022-07-098

Moved by Abraham

Seconded by Hodorek

RESOLVED, That in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **AWARDS** a contract to the sole source provider, *HAAS Alert of Chicago, IL*, for the HAAS Alert: Safety Cloud Advanced Collision Prevention System, encompassing 24 vehicles for the Fire Department, for a three (3) year subscription period, for an estimated annual cost of \$12,000.00 as per the **ATTACHED** proposal; 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 – Building Management System Controls and Standard Purchasing Resolution 5: Approval to Expend Budgeted Funds – Building Management System Upgrade and Replacement (*Introduced by: Dennis Trantham, Facilities & Grounds Operations Manager*)

Resolution #2022-07-099

Moved by Brooks

Seconded by Chamberlain-Creanga

RESOLVED, That in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **AWARDS** a contract to *MCMI Facility Automation of Sterling Heights, MI*, for Building Management System Control upgrade and replacement for an estimated cost of \$172,200 not to exceed budgetary limitations as per the attached proposal; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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

Yes: All-7

No: None

MOTION CARRIED

I-7 Resident Budget Priorities Study (*Introduced by: Robert J. Bruner, Assistant City Manager*)

Resolution #2022-07-100

Moved by Hodorek

Seconded by Hamilton

WHEREAS, Section 12.1 of the City Chapter directs City Management to obtain comparative prices for the purchase and sale of all materials except in the employment of professional services; and,

WHEREAS, All sales or purchases in excess of \$10,000 shall be approved by City Council and competitively bid except where Council shall determine that the public interest will be best served without obtaining sealed bids; and,

WHEREAS, Cobalt Community Research is a Michigan-based organization and has successfully provided community research services to the City;

THEREFORE, BE IT RESOLVED, That in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **AWARDS** a contract for Community Research Services to *COBALT COMMUNITY RESEARCH of Michigan* for a not to exceed amount of \$16,000 for a residential survey including unforeseen contingencies.

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

Yes: All-7
No: None

MOTION CARRIED**J. CONSENT AGENDA:**

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

Resolution #2022-07-101-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

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

J-2 Approval of City Council Minutes

Resolution #2022-07-101-J-2

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

- a) City Council Meeting Minutes-Draft – June 27, 2022

J-3 Proposed City of Troy Proclamations:

Resolution #2022-07-101-J-3

- a) Proclamation to Recognize Troy City Clerk Aileen Dickson Named Michigan's 2022 City Clerk of the Year

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 2: Low Bidder Meeting Specifications – Water System Materials**

Resolution #2022-07-101-J-4a

RESOLVED, That Troy City Council hereby **AWARDS** a one-year contract to provide requirements for Water System Materials to the low bidder meeting specifications, *Ferguson*

Waterworks of Warren, MI, for an estimated total cost of \$250,337.50, at the unit prices contained in the bid tabulation opened June 23, 2022, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with the contract expiring June 30, 2023.

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

b) Standard Purchasing Resolution 2: Award to Low Bidder Meeting Specifications and Standard Purchasing Resolution 4: OMNIA Cooperative Purchasing Contract – Phase III and IV Roof Replacement at the Community Center and Flat Roof Replacement at the Fire and Police Training Center and Budget Amendment

Resolution #2022-07-101-J-4b

RESOLVED, That Troy City Council hereby **AWARDS** a contract for the Community Center Phase III and IV Roof Replacement as per bid specifications to the lowest qualified bidder meeting specifications, *Lutz Roofing Company, Inc. of Shelby Township, MI*, for an estimated total cost of \$977,000 at unit prices contained in the bid tabulation opened June 23, 2022; a copy of which shall be **ATTACHED** to the original Minutes of this meeting, and in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **AWARDS** a contract to *Garland-DBS, Inc. of Cleveland, OH*, based on the OMNIA Partners Cooperative Purchasing Contract for \$1,164,303 for an estimated total of \$2,141,303 with a contingency of \$214,000 for a total amount not to exceed \$2,355,303.

BE IT FURTHER RESOLVED, That Troy City Council hereby **AWARDS** a contract for the Fire and Police Flat Roof Replacement as per bid specifications to the lowest qualified bidder meeting specifications, *Lutz Roofing Company, Inc. of Shelby Township, MI*, for an estimated total cost of \$107,500 at unit prices contained in the bid tabulation opened June 23, 2022; a copy of which shall be **ATTACHED** to the original Minutes of this meeting, and in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **AWARDS** a contract to *Garland-DBS, Inc. of Cleveland, OH*, based on the OMNIA Cooperative Purchasing Contract for \$108,178 for an estimated total of \$215,678 with a contingency of \$21,568 for a total amount not to exceed \$237,246.

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** a budget amendment in the amount of \$27,250 to the Fire and Police Training Center Capital Fund.

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

c) Standard Purchasing Resolution 4: Oakland County Purchasing Cooperative Contract – Ventilation System Replacement – Department of Public Works Streets Equipment Garage, Water/Sewer Garage, and Fleet Garage

Resolution #2022-07-101-J-4c

RESOLVED, That in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **AWARDS** a contract to *Limbach Inc. of Pontiac, MI*, for the replacement of the

ventilation system in the Department of Public Works Streets Equipment Garage, Water/Sewer Garage, and Fleet Garage for an estimated cost of \$682,200 not to exceed budgetary limitations, as detailed in the attached proposal and per the Oakland County Purchasing Cooperative Contract #005013.

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.

d) Standard Purchasing Resolution 4: MITN Cooperative Purchasing Contract – Enclosed Service Body for Utility 2 – Fire Department

Resolution #2022-07-101-J-4d

RESOLVED, That Troy City Council hereby **APPROVES** a contract to purchase one (1) enclosed service body including installation on one (1) City-owned truck chassis vehicle from *Truck and Trailer Specialties, Inc of Howell, MI*, for the Fire Department as per the MITN Cooperative Purchasing Group contract RFP-RH-20-023, for an estimated total cost of \$72,490.00; not to exceed budgetary limitations.

e) Standard Purchasing Resolution 4: State of Michigan MiDEAL Cooperative Purchasing Agreement – Street Sweeper

Resolution #2022-07-101-J-4e

RESOLVED, That Troy City Council hereby **APPROVES** a contract to purchase an Elgin Regen X Regenerative Street Sweeper from the authorized Michigan dealer; *Bell Equipment Company of Lake Orion, MI*, utilizing the State of Michigan MiDEAL Cooperative Contract #071B7700091 for an estimated total cost of \$253,500.00 not to exceed budgetary limitations.

f) Standard Purchasing Resolution 4: MITN Cooperative Purchasing Award – DPW Cab Chassis Dump Bodies with Snow Removal Equipment

Resolution #2022-07-101-J-4f

RESOLVED, That Troy City Council hereby **APPROVES** a contract to purchase dump bodies, tool boxes and snow plows including installation on four (4) City-owned truck chassis vehicles from *Truck and Trailer Specialties of Howell, MI*, for the Department of Public Works as per the MITN Cooperative Purchasing Group contract RFP-RH-20-023 for an estimated total cost of \$143,900.00; not to exceed budgetary limitations.

J-5 Bid Waiver – Real Estate Appraisal and Appraisal Review Services, Rochester Road, Barclay to Trinway – Project Number 2022CG0002

Resolution #2022-07-101-J-5

WHEREAS, Section 12.1 of the City Charter directs City Management to obtain comparative prices for the purchase and sale of all materials except in the employment of professional services; and,

WHEREAS, All sales or purchases in excess of \$10,000 shall be approved by City Council and competitively bid except where Council shall determine that the public interest will be best served without obtaining sealed bids; and,

WHEREAS, Kurschat & Company, and RS Thomas and Associates/Harold Blake Co. are real estate appraisal and consulting companies with extensive experience in federally funded projects and knowledge of federal laws, regulations, requirements, and expertise in the condemnation process and court testimony; and,

WHEREAS, A market survey was conducted which verified that the current rates provided by Kurschat & Company, and RS Thomas and Associates/Harold Blake Co. are comparable to other appraisal firms and are the best value for the City;

THEREFORE, BE IT RESOLVED, That in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **APPROVES** the attached Agreements for Appraisal and Appraisal Review Services and the rates contained therein with *Kurschat & Company of Troy, MI* and *RS Thomas and Associates/Harold Blake Co. of Livonia, MI* for the Rochester Road Improvement Project, Barclay Drive to Trinway – Project Number 2022CG0002, for a period of three (3) years with a two-year option to extend the agreements.

BE IT FURTHER RESOLVED, That Troy City Council hereby **AUTHORIZES** the Mayor and City Clerk to **EXECUTE** the Agreements, copies of which shall be **ATTACHED** to the original Minutes of this meeting.

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

J-6 Changes to Union Clothing and Cleaning Allowances

Resolution #2022-07-101-J-6

WHEREAS, The methods for providing Clothing and Cleaning Allowances to unions are detailed in each respective collective bargaining agreement; and

WHEREAS, The City must change some of the current processes to become compliant with IRS requirements for taxable earnings; and,

WHEREAS, The City has offered recommended contract language changes to which the Michigan Association of Police (MAP) and Troy Fire Officers Association (TFSOA) have agreed;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the contract language changes to Article 33 - Uniforms and Article 34 - Cleaning Allowance for MAP and Article 28 - Uniforms for TFSOA.

J-7 Cost Participation Agreement for Road Work on Maple Road, Rochester Road to Dequindre Road – Project No. 15.105.6

Resolution #2022-07-101-J-7

RESOLVED, That Troy City Council hereby **APPROVES** the Cost Participation Agreement between the City of Troy and the Board of Road Commissioners of the County of Oakland for the resurfacing of Maple Road, from Rochester Road to Dequindre Road at an estimated cost to the City of Troy of \$225,000, and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the agreement; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Funds for Troy's share of the work are included in the proposed 3-Year Capital Budget for Major Roads, Account # 401.447.479.7989.151056.

J-8 Contract Amendment: Fire Service Online Training Management Software – Fire Department

Resolution #2022-07-101-J-8

RESOLVED, That the Troy City Council hereby **APPROVES** an amendment to the contract with *Vector Solutions of San Diego, CA*, to expand user quantities for the Target Solutions LMS online training software and the addition of Evaluations+ Skill Assessment module for the Fire Department for an estimated yearly cost of \$24,000 with annual price adjustments not to exceed 3%, as detailed in the amended agreement proposal.

J-9 Request for Acceptance of a Permanent Easement, Troy Westington, LLC, Sidwell #88-20-21-101-047

Resolution #2022-07-101-J-9

RESOLVED, That Troy City Council **ACCEPTS** a permanent easement for public and franchise utilities from Troy Westington, LLC, owner of the property having Sidwell #88-20-21-101-047.

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.

J-10 Third Amendment to Consent Judgment in the Matter of Somerset Collection, et al v City of Troy Lawsuit, Case Number 87-CV-72022

Resolution #2022-07-101-J-10

RESOLVED, That the Troy City Council **APPROVES** the attached Third Amendment to Consent Judgment in the *Somerset Collection, et al v City of Troy* lawsuit, Case Number 87-cv-72022, authorizing certain improvements to the parking lot and the construction of an exterior patio to serve the building located at 2850 Coolidge Road, as described and approved in the site plan attached to Third Amendment to Consent Judgment.

RESOLVED, That Troy City Council **AUTHORIZES** the City Attorney to execute the document on behalf of the City and to have it entered by the United States District Court. A copy of the fully executed Third Amendment to Consent Judgment shall be recorded with the Oakland County Register of Deeds and also attached to the 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:**

Thomas Meitzler	Commented on the Troy Tennis Club's use of outdoor tennis courts at Boulan Park and the need for a permit
Animesh Agarwal	Commented on the need for a permit or ability to reserve court time for the Troy Tennis Club
Vinodh Mudaliar	Invited City Council and City Administration to the Youth Cricket Championship

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

City Manager Miller replied that he has met with representatives of the Troy Tennis Club about the possibilities and options available, what the Troy Tennis Club would want, and offered to create a league. He said the tennis organization should work with Recreation Director Brian Goul, to coordinate a tennis tournament club, for example.

Mayor Baker replied that Council received a memo regarding this subject, and that Mr. Goul can assist the club.

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) Election Commission-Final – April 6, 2022
- b) Civil Service Commission (Act 78)-Final – May 2, 2022
- c) Planning Commission-Final – June 14, 2022

Noted and Filed

O-2 Department Reports:

- a) 2nd Quarter 2022 Litigation Report
- b) City Manager Status Report

Noted and Filed

O-3 Letters of Appreciation: None Submitted

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

O-5 Notice of Hearing for the Electric and Natural Gas Customers of Consumers Energy Company – Case No. U-21205

Noted and Filed

P. COUNCIL COMMENTS:

P-1 Council Comments

Mayor Pro Tem Erickson Gault asked for clarification regarding the type of sample of residents being used. Mr. Bruner responded that there will be a mail distribution to 2,000 households, and the method of selecting that sample can be discussed at a later date, plus the survey could be released generally to the public through social media, for example.

Council Member Hamilton commented that he would like to see something in the survey that presents City facility needs to the residents in order to get feedback on what residents are willing to pay for as far as repairing and upgrading City facilities.

Council Member Chamberlain-Creanga commented that she doesn't want residents to get confused by an overly long survey. She said that she would like to see facilities addressed in the survey as well. She commented that she would like to see focus groups. Mr. Miller commented that focus groups haven't been discussed yet, but they will be soon.

Council Member Hodorek commented that residents seem to want our recreation offerings to be competitive with the cities surrounding us, and they don't understand why they aren't. She said that residents don't necessarily understand that our Recreation Department has not returned fully from staffing and funding levels before the 2009 recession. She said she would like to see what residents are willing to support, besides the Aquatics Center and pickleball, for example. She cautioned against the survey tool becoming a means for misinformation.

Council Member Abraham commented that we need to communicate in a way that residents will understand, especially those residents who are not familiar with the Budget. She said questions for residents about how they access parks, and some explanation about where Budget money goes, and questions about what residents are willing to pay for.

Council Member Brooks commented that with the Library, there were tiers of funding presented to residents, and she would like that kind of presentation of information to residents with these topics as well.

Mayor Baker commented that he doesn't feel this draft represents conversations that Council has had. He said that a public safety millage has not been discussed, so asking about it in the

survey makes it seem as though it is not properly funded now or that the funding is in question, which is not the case. He said he has concerns about how these issues are worded, and he would like to see some discussion points about facilities in this survey. He said that he is more comfortable talking about bond financing for facilities since this option has been discussed by Council, and he would like to see questions about bonds in this survey.

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 8:35 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