

Pastor EJ Swanson 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 Monday, January 23, 2023, 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

Excuse Absent Council Members:

Resolution #2023-01-007
Moved by Baker
Seconded by Chamberlain-Creanga

RESOLVED, That Troy City Council hereby **EXCUSES** the absence of Council Member Erickson Gault at the Regular City Council of January 23, 2023, due to illness

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

MOTION CARRIED

Council Member Erickson Gault was present on a Zoom call, but did not participate in voting.

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 Community Development Block Grant (CDBG) 2023 Funds Public Hearing
(Introduced by: Cindy Stewart, Community Affairs Director)**

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

Resolution #2023-01-008
 Moved by Brooks
 Seconded by Hodorek

WHEREAS, Oakland County is preparing an Annual Action Plan to meet application requirements for the Community Development Block Grant (CDBG) program, and other Community Planning and Development (CPD) programs; and,

WHEREAS, Oakland County has requested CDBG-eligible projects from participating communities for inclusion in the Action Plan; and,

WHEREAS, The City of Troy has duly advertised and conducted a public hearing on January 23, 2023 for the purpose of receiving public comments regarding the proposed use of PY 2023 Community Development Block Grant (CDBG) funds in the approximate amount of \$182,205.00; and,

WHEREAS, The City of Troy found that the following projects meet the federal objectives of the CDBG program and are prioritized by the community as high priority need:

Account Number	Project Name	Amount
172170-731332	Parks, Recreational Facilities	\$127,543.50
172160-732170	Public Services (Yard Services)	\$ 54,661.50

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **AUTHORIZES** City Administration to submit the City of Troy CDBG application to Oakland County for inclusion in Oakland County’s Annual Action Plan to the U.S. Department of Housing and Urban Development, and that the Mayor is hereby **AUTHORIZED** to execute all documents, agreements, or contracts which result from this application to Oakland County.

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

MOTION CARRIED

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

Marco Masciulli	Commented in support of Item I-06
Lenore Paxton	Commented in opposition to Item I-06
Michael Gratson	Commented in opposition to Item I-06
Jen Myers	Commented in support of Item I-06
Jim Fagan	Commented in support of Item I-06
Margaret Williams	Commented in opposition to Item I-06
Patti Steinmayer	Commented in opposition to Item I-06
Raja Puli	Commented in support of Item I-06

Kristen Beesley	Commented in opposition to Item I-06
Sara Belluomo	Commented in opposition to Item I-06
Sunil Rao	Commented in support of Item I-06
Jackie Foot	Commented in opposition to Item I-06
Gary Fralick	Commented in opposition to Item I-06
Kashif Khan	Commented in support of Item I-06
Irene Sadikoff	Commented in support of Item I-06

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 – Board of Review, Downtown Development Authority; b) City Council Appointments – Zoning Board of Appeals

a) Mayoral Appointments:

Resolution #2023-01-009
 Moved by Baker
 Seconded by Hamilton

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:

Board of Review
 Appointed by Mayor
 3 Regular Members
 3 Year Term

Nominations to the Board of Review:

Term Expires: 1/31/2026

John Howard Adams

Term currently held by: John Howard Adams

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

MOTION CARRIED

Resolution #2023-01-010
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:

Downtown Development Authority

Appointed by Mayor
13 Regular Members
4 Year Term

Nominations to the Downtown Development Authority:

Term Expiring: 9/30/2026

Padma Kuppa

Term currently held by: Douglas Schroeder (NO Reappointment)

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

MOTION CARRIED

b) City Council Appointments:

Resolution #2023-01-011
Moved by Chamberlain-Creanga
Seconded by Brooks

RESOLVED, That Troy City Council hereby **CONFIRMS** the appointment of the following person to serve on the Boards and Committees as indicated:

Zoning Board of Appeals

Appointed by Council
7 Regular Members; 2 Alternates
3 Year Term

Nominations to the Zoning Board of Appeals:

Term Expires: 12/31/2023

Tyler Fox

PC Rep. on ZBA

Term currently held by: Jayalakshmi Malalahalli

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

MOTION CARRIED

I-2 Board and Committee Nominations: a) Mayoral Nominations – Board of Review; b) City Council Nominations – Liquor Advisory Committee

a) Mayoral Nominations:

Resolution #2023-01-012
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:

Board of Review
Appointed by Mayor
3 Regular Members
3 Year Term

Nominations to the Board of Review:

**Unexpired Term Expiring:
1/31/2024**

Karen Greenwood

Term currently held by: Frank Strahl resigned 12/13/2022

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

MOTION CARRIED

b) City Council Nominations:

Resolution #2023-01-013
Moved by Chamberlain-Creanga
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:

Liquor Advisory Committee
Appointed by Council
7 Regular Members
3 Year Term

Nominations to the Liquor Advisory Committee:

Term Expires: 1/31/2026

David Gorcyca

Term currently held by: David Gorcyca

Term Expires: 1/31/2026

Kelly Jones

Term currently held by: Kelly Jones

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

MOTION CARRIED

I-3 Request for Closed Session

Resolution #2023-01-014
Moved by Baker
Seconded by Abraham

BE IT RESOLVED, That Troy City Council **SHALL MEET** in Closed Session, as permitted by MCL 15.267 (h)(MCL 15.243 (g)).

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

MOTION CARRIED

I-4 Bid Waiver – Ammunition Purchase, Police Department (Introduced by: Frank Nastasi, Chief of Police)

Resolution #2023-01-015
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 *Michigan Ammo LLC of Ecorse, MI* for the purchase of 85,000 rounds of training handgun ammunition for an estimated total cost of \$31,237.50, as detailed in the attached quote.

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

MOTION CARRIED

I-5 Standard Purchasing Resolution 4: Oakland County Extended Purchasing Contract – City Hall Exterior Repairs, South Entrance Step Reconstruction and Community Development Department Improvements and Budget Amendment (Introduced by: Dennis Trantham, Facilities & Grounds Operations Manager)

Resolution #2023-01-016
Moved by Chamberlain-Creanga
Seconded by Hamilton

RESOLVED, That in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **AWARDS** a contract to *National Restoration of Milford, MI* for City Hall Exterior Repairs for an estimated cost of \$160,000 with a 25% contingency as detailed in the attached proposal per the Oakland County Extended Purchasing Contract #006325; not to exceed budgetary limitations.

BE IT FURTHER RESOLVED, That in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **AWARDS** a contract to *National Restoration of Milford, MI* for City Hall South Entrance Step Reconstruction for an estimated cost of \$83,000 with a 10% contingency as detailed in the attached proposal per the Oakland County Extended Purchasing Contract #006325; not to exceed budgetary limitations.

BE IT FURTHER RESOLVED, That in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **AWARDS** a contract to *National Restoration of Milford, MI* for City Hall Community Development Department Improvements for an estimated cost of \$76,000 with a 10% contingency as detailed in the attached proposal per the Oakland County Extended Purchasing Contract #006325; not to exceed budgetary limitations.

BE IT FURTHER RESOLVED, That Troy City Council **APPROVES** a budget amendment to the City Hall Capital Fund in the amount of \$174,900.

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

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

MOTION CARRIED

I-6 Standard Purchasing Resolutions 1 and 2 for a Special Assessment District for Bituminous Asphalt Paving of Middlesex Country Homesites – Devonwood, Lenox and Sussex (Introduced by: Kelly Timm, City Assessor, and Scott Finlay, City Engineer)

(a) Standard Resolution #1

Resolution #2023-01-017
Moved by Baker

Seconded by Hamilton

WHEREAS, The City Council deems it necessary and proposes to make the following described public improvements: Bituminous Asphalt Paving of Middlesex Country Homesites Devonwood, Lenox & Sussex-Section 7 SAD #22.101.1; and,

WHEREAS, It appears that part or all of the cost of said public improvement shall be defrayed by special assessment:

NOW, THEREFORE, BE IT RESOLVED, That:

1. The matter of said public improvement is referred to the City Manager, who shall prepare, or cause to be prepared, **plans showing the improvement** and the location thereof and as estimate of the cost thereof, and also maps and plans of the work.
2. Upon completion of the same, the same shall be presented to the City Council.

RESOLVED, That Troy City Council hereby **ADOPTS** Standard Resolution #1 to authorize the preparation of plans and cost estimates by the City Manager and whether to pay all or part of the cost of Bituminous Asphalt Paving of Middlesex Country Homesites in Section 7, SAD No. 22.101.1, all pursuant to Sections 1.1 and 1.2 of Chapter 5 of the Code of the City of Troy.

(b) Standard Resolution #2

WHEREAS, The City Council has ordered the City Manager to prepare or cause to be prepared, plans showing the improvement and the location thereof and an **estimate of the cost** thereof, and also maps and plans of the work of the following described public improvement: Bituminous Asphalt Paving of Middlesex Country Homesites Devonwood, Lenox & Sussex-Section 7 SAD #22.101.1; and,

WHEREAS, The City Manager has prepared the same and has presented the same to the City Council;

NOW, THEREFORE, BE IT RESOLVED, That:

1. The plans and estimate of the cost of said public improvement in the amount of **\$2,831,400.00** and the other materials pertaining to said public improvement prepared by the City Manager are hereby adopted and approved.
2. The City Council hereby determines and orders that the public improvement described in the preamble hereto shall be made.
3. The City Council determines that **\$513,162.50** of the cost of said public improvement shall be defrayed by special assessment to be levied against each and every lot and parcel of land in the Special Assessment District hereinafter set forth.
4. The City Council hereby determines that the following described lots and parcels of land constitute the Special Assessment District against which the special assessment for said public improvement shall be levied.

- 5. The City Assessor is hereby ordered and directed to prepare a Special Assessment Roll and shall assess against the lots and parcels of land in the Special Assessment District, as herein established, that portion of the cost of said public improvement to be paid from special assessments as herein determined.

The Assessor, in preparing said Special Assessment Roll, shall assess the amount to be assessed against the Special Assessment District according to benefits. In preparing said Special Assessment Roll the City Assessor shall follow the procedures and requirements established by the provisions of Chapter 5 of the Code of the City of Troy, as amended.

- 6. The City Assessor, when she shall have completed said Special Assessment Roll, shall report the same with her certificate attached thereto to the City Council.

RESOLVED, That Troy City Council hereby **ADOPTS** Standard Resolution #2 to authorize the City Assessor to prepare the Special Assessment Roll and Amortization Schedule.

BE IT FURTHER RESOLVED, That the City Assessor is hereby **ORDERED** and **DIRECTED** to prepare a Special Assessment Roll in accordance with Chapter 5 of the Code of the City of Troy.

Yes: None

No: Hamilton, Hodorek, Baker, Abraham, Brooks, Chamberlain-Creanga

MOTION FAILED

J. CONSENT AGENDA:

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

Resolution #2023-01-018-J-1a

Moved by Abraham

Seconded by Hamilton

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

Yes: Hodorek, Baker, Abraham, Brooks, Chamberlain-Creanga, Hamilton

No: None

Absent: Erickson Gault

MOTION CARRIED

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

J-2 Approval of City Council Minutes

Resolution #2023-01-018-J-2

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

- a) City Council Minutes-Draft – January 9, 2023

J-3 Proposed City of Troy Proclamations: None Submitted

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 4: Oakland County Cooperative Purchasing Contract – Water Slide Support Structure Painting at Troy Family Aquatic Center**

Resolution #2023-01-018-J-4a

RESOLVED, That in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **AWARDS** a contract to *National Restoration of Milford, MI*, for the painting of the water slides support structures at the Troy Family Aquatic Center for an estimated total cost of \$29,800 as detailed in the attached proposal and as per the Oakland County Cooperative Purchasing Contract #005106.

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

- b) **Standard Purchasing Resolution 2: Sole Bidder Meeting Specifications – Water Slide Renovation at the Troy Family Aquatic Center**

Resolution #2023-01-018-J-4b

RESOLVED, That the Troy City Council hereby **AWARDS** a contract to furnish all equipment, material, and labor to renovate and resurface the interior and exterior of the water slide flumes at the Troy Family Aquatic Center as per bid specifications, to sole bidder meeting specifications, *Dale Cooper LLC dba Safe Slide Restoration of Farmington, MI*, for an estimated total cost of \$86,365.00 and a 10% contingency for a not to exceed total amount of \$95,001.50 at prices contained in the bid tabulation dated January 5, 2023; 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 contractor's submission of properly executed bid documents, including insurance certificates and all other specified requirements.

- c) **Standard Purchasing Resolution 4: Sourcewell Cooperative Purchasing Contract – Fire Station 2 Roof Ventilation Repairs**

Resolution #2023-01-018-J-4c

RESOLVED, That in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **AWARDS** a contract to *Allied Building Services of Detroit, MI* for Fire Station 2 Roof Ventilation Repairs for an estimated cost of \$66,502.73, with a 10% contingency, as

detailed in the attached proposal per the Sourcewell Cooperative Purchasing Contract # MI-GRP-GC-C-050118-ABS; not to exceed budgetary limitations.

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

J-5 2023 Poverty Exemption Guidelines (Changes From Previous Year)

Resolution #2023-01-018-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.

Local governing bodies are required to adopt guidelines that set income levels for their poverty exemption guidelines and those income levels **shall not be set lower** by a city than the federal

poverty guidelines updated annually by the U.S. Department of Health and Human Services. Following are the federal poverty guidelines for use in setting poverty exemption guidelines for 2023 assessments:

Size of Family Unit	Poverty Guidelines
1	\$13,590
2	\$18,310
3	\$23,030
4	\$27,750
5	\$32,470
6	\$37,190
7	\$41,910
8	\$46,630
For each additional person	\$4,720

According to the United States Census Bureau “income” includes, but is not limited to:

- Money, wages, salaries before deductions, regular contributions from persons not living in the residence
- Net receipts from non-farm or farm self-employment (receipts from a person’s own business, professional enterprise, or partnership, after business expense deductions)
- Regular payments from social security, railroad retirement, unemployment, worker’s compensation, veteran’s payments, public assistance, supplemental security income (SSI)
- Alimony, child support, military family allotments
- Private and governmental retirement and disability pensions, regular insurance, annuity payments
- College or university scholarships, grants, fellowships, assistantships
- Dividends, interest, and net income from rentals, royalties, estates, trusts, gambling or lottery winnings

The Michigan homestead property tax credit **cannot** be considered as income for purposes of the poverty exemption.

Asset Test Guidelines

Used in the Determination of Poverty Exemptions for 2023

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 maximum 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 purpose 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 HEREBY 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.

The foregoing resolution offered by City Council Member _____ and supported by City Council Member _____.

Upon roll call vote, the following voted:

“Aye”: _____

“Nay”: _____

The City Clerk declared the resolution _____.

XXX, Clerk Date

J-6 Amendment and Renewal of Contract with Somerset Collection

Resolution #2023-01-018-J-6

BE IT RESOLVED, That Troy City Council hereby **APPROVES** the attached *Restated and Amended Agreement between the City of Troy and Somerset Collection for Assignment of Police Officer Positions and Reimbursement to the City of Troy for Costs*.

BE IT FURTHER RESOLVED, That the Troy Police Chief is **AUTHORIZED** the execute this Agreement on behalf of the City of Troy.

J-7 Fireworks Permit for Mon Jin Lau 2023

Resolution #2023-01-018-J-7

RESOLVED, That Troy City Council hereby **ISSUES** a firework permit to Mon Jin Lau of Troy, Michigan, for the public display of fireworks during the annual celebration of Chinese New Year; fireworks to be discharged, on Thursday January 29, 2023, from 6:00PM to 9:00PM.

BE IT FURTHER RESOLVED, That the Troy Fire Department **WILL INSPECT** the fireworks to be displayed in advance, and **WILL ALSO REVIEW** the proposed discharge location(s) and site, and **MAY TAKE ANY ACTION** to assure safety and compliance with applicable codes and standards for such a fireworks display.

J-8 Contract Extension – Legal Services – Labor Attorney

Resolution #2023-01-018-J-8

WHEREAS, On February 20, 2017, City Council approved McGraw Morris to provide outside labor counsel for the City at the hourly rate of \$200.00, (Resolution# 2017-02-023); and,

WHEREAS, McGraw Morris is a legal firm providing specialized professional labor counsel services for the City of Troy and the hourly rate has remained unchanged since 2017; and,

WHEREAS, Based on cost and performance, McGraw Morris continues to be competitive and the best value for the City;

NOW, THEREFORE, BE IT RESOLVED, That in the best interest of the City, Troy City Council hereby **APPROVES** a contract extension with *McGraw Morris, P.C. of Troy MI* for outside labor counsel services at the current hourly rate of \$200.00 for an additional three (3) year term; contract expiring February 28, 2026.

J-9 R W Development LLC v City of Troy et. al.

Resolution #2023-01-018-J-9

RESOLVED, That Troy City Council **AGREES** to vacate the platted easements and **APPROVES** the attached Release of Platted Easement for the property at 1700 Stutz, which is necessary for the proposed Harrison Poolside Troy development, and **AUTHORIZES** the Troy City Clerk to execute this document on behalf of the City.

BE IT FURTHER RESOLVED, That the Troy City Council **AUTHORIZES** the City Attorney to execute the attached Stipulated Order Consenting to the Vacation of Easements and For Dismissal in the *R W Development, LLC. v. City of Troy, et. al.* (Oakland County Circuit Court Case No. 2022-196369-CH) case, and take any further action necessary to conclude this replat lawsuit.

K. MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:

K-1 Announcement of Public Hearings:

- a) February 27, 2023 – Planned Unit Development (File Number PUD 019 JPLN2022-0013) – Proposed Village of Troy, PUD, South Side of Long Lake, West of Rochester (Parcels 88-20-15-201-046 and 88-20-15-201-033), Section 15, Currently Zoned RT (One Family Attached Residential, R-1C (One Family Residential) and CB (Community Business) Districts

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:

Aaron Lad	Commented on various topics including a public art suggestion
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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 No Council Referrals Submitted**O. REPORTS:****O-1 Minutes – Boards and Committees:**

- a) Global Troy Advisory Committee-Final – January 11, 2022
- b) Global Troy Advisory Committee-Draft – October 18, 2022
- c) Downtown Development Authority-Final – October 19, 2022
- d) Planning Commission-Final – December 13, 2022

Noted and Filed

O-2 Department Reports:

- a) Troy Nature Society Financial Statements and Annual Report for Fiscal Year Ending 2022
- b) PA 202 of 2017 – The Protecting Local Government Retirement and Benefits Act
- c) 2022 State Treasurer Reports for Local Development Finance Authority (LDFA) and Troy Downtown Development Authority (TDDA)
- d) Fourth Quarter 2022 Litigation Report

Noted and Filed

O-3 Letters of Appreciation: None Submitted**O-4 Proposed Proclamations/Resolutions from Other Organizations: None Submitted****P. COUNCIL COMMENTS:****P-1 Council Comments**

Council Member Hamilton commented on the issue of the Volunteer Firefighter Incentive Plan, and said that the new plan is just a proposed plan, and that City Council and City Administration will work hard to find a solution that will benefit our volunteers who are vital to the City of Troy.

Mayor Baker commented that all of Council cares about our volunteer firefighters, and they are one of our number one priorities, and he said that we will continue to figure out the best solution to this issue. He said that these volunteer firefighters are our neighbors, they are a part of our community, and the City supports them.

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 9:39 PM.
The Meeting **RECONVENED** at 9:45 PM.

R. CLOSED SESSION

R-1 Closed Session

S. ADJOURNMENT:

The Meeting **ADJOURNED** at 11:25 PM.

Mayor Ethan Baker

M. Aileen Dickson, MMC, MiPMC II
City Clerk

2023 SCHEDULED SPECIAL CITY COUNCIL MEETINGS:

April 10, 2023 Special Meeting – Budget
April 17, 2023 Special Meeting – Budget

2023 SCHEDULED REGULAR CITY COUNCIL MEETINGS:

February 13, 2023 Regular Meeting
February 27, 2023 Regular Meeting
March 13, 2023 Regular Meeting
March 20, 2023 Regular Meeting
April 10, 2023 Regular Meeting
April 17, 2023 Regular Meeting
May 8, 2023 Regular Meeting
May 22, 2023 Regular Meeting
June 12, 2023 Regular Meeting
June 26, 2023 Regular Meeting
July 10, 2023 Regular Meeting
July 24, 2023 Regular Meeting
August 7, 2023 Regular Meeting
August 21, 2023 Regular Meeting
September 11, 2023 Regular Meeting
September 18, 2023 Regular Meeting
October 2, 2023 Regular Meeting
October 16, 2023 Regular Meeting
November 13, 2023 Regular Meeting
November 20, 2023 Regular Meeting
December 4, 2023 Regular Meeting
December 11, 2023 Regular Meeting