

Council Member Abraham 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, October 16, 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

C. CERTIFICATES OF RECOGNITION AND SPECIAL PRESENTATIONS:

- C-1** 2023 Troy Daze Update (*Presented by: Karen Greenwood, Chair, and Olivia McLaughlin, Executive Director, Troy Community Foundation*)

D. CARRYOVER ITEMS:

- D-1** No Carryover Items

E. PUBLIC HEARINGS:

- E-1** Public Hearing - Rezoning Request (File Number Z JPLN2023-0016) – Proposed Encore Development Rezoning, East Side of Todd, South of Big Beaver (PIN 88-20-29-226-019 and -020), Section 29, From R-1C (One Family Residential) and P (Vehicular Parking) to BB (Big Beaver) Zoning District (*Introduced by: Brent Savidant, Community Development Director*)

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

Resolution #2023-10-146
Moved by Erickson Gault
Seconded by Abraham

WHEREAS, The City is in receipt of a rezoning request, from R-1C & P to BB, File Number Z JPLN2023-0016, comprised of the two parcels, Parcel Identification Number 88-20-29-226-019 and Parcel Identification Number 88-20-29-226-020, in Section 29;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the proposed rezoning from R-1C & P to BB, being approximately 1.49 acres in area

BE IT FINALLY RESOLVED, That the Zoning District Map is hereby **AMENDED**.

Yes: All-7
No: None

MOTION CARRIED

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

Jayne Saeger	Commented on her disappointment at not being re-nominated to the Animal Control Appeal Board.
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G. CITY COUNCIL/CITY ADMINISTRATION RESPONSE/REPLY TO PUBLIC COMMENT FOR ITEMS ON THE AGENDA FROM TROY RESIDENTS AND BUSINESSES:

Mayor Pro Tem Chamberlain-Creanga thanked Ms. Saeger for her service to the Animal Control Appeal Board.

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 – Animal Control Appeal Board

a) Mayoral Appointments: None

b) City Council Appointments:

The appointment of Michelle Haight to the Animal Control Appeal Board, moved by Mayor Pro Tem Chamberlain-Creanga, did not receive a Second.

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

a) Mayoral Nominations: None

b) City Council Nominations:

Resolution #2023-10-147
Moved by Hodorek
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:

Animal Control Appeal Board

Appointed by Council
5 Regular Members
3 Year Term

Nominations to the Animal Control Appeal Board:

Term Expires: 9/30/2026

Jayne Saeger

Term currently held by: Jayne Saeger

Yes: All-7
No: None

MOTION CARRIED

I-3 Request for Closed Session

Resolution #2023-10-148
Moved by Baker
Seconded by Hodorek

BE IT RESOLVED, That Troy City Council **SHALL MEET** in Closed Session, as permitted by MCL 125.268 (e) (Blanchard v. Troy).

Yes: All-7
No: None

MOTION CARRIED

**I-4 Bid Waiver - Less Lethal Larry Dummy Targets – Troy Police Department
(Introduced by: Sergeant Dan Galich, Police Training Sergeant)**

Resolution #2023-10-149
Moved by Erickson Gault
Seconded by Brooks

RESOLVED, That in the best interest of the City, Troy City Council hereby **WAIVES** the bid process and **AWARDS** a contract for the purchase of 6 full body targets known as “Less Lethal Larry” to *Dummies Unlimited, Inc of Pomona, CA* in the amount of \$11,413.00 as detailed in the attached quote, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

Yes: All-7
No: None

MOTION CARRIED

I-5 Emergency Medical Services (EMS) Technical Assistance Services (*Introduced by: Robert J. Bruner, Deputy City Manager*)

Resolution #2023-10-150
Moved by Baker
Seconded by Chamberlain-Creanga

BE IT RESOLVED, That Troy City Council **DETERMINES** the public interest will be best served without obtaining sealed bids and **DIRECTS** the City Attorney to prepare or review a professional services agreement for Emergency Medical Services (EMS) technical assistance services with *Fitch & Associates of Platte City, MO*.

Yes: All-7
No: None

MOTION CARRIED

I-6 City Manager Amended Employment Agreement (*Introduced by: Mark F. Miller, City Manager*)

Resolution #2023-10-151
Moved by Baker
Seconded by Hodorek

BE IT RESOLVED, That Troy City Council hereby **APPROVES** the City Manager's Amended Employment Agreement, and **AUTHORIZES** the Mayor and Clerk to execute the document on behalf of the City of Troy; a copy of which shall be **ATTACHED** to the original Minutes of this meeting and also included in the Human Resources' file.

Yes: All-7
No: None

MOTION CARRIED**J. CONSENT AGENDA:**

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

Resolution #2023-10-152-J-1a
Moved by Abraham
Seconded by Hodorek

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 #2023-10-152-J-2

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

- a) City Council Minutes-Draft – October 2, 2023

J-3 Proposed City of Troy Proclamations: None Submitted

J-4 Standard Purchasing Resolutions:

- a) **Standard Purchasing Resolution 2: Award to Low Bidder Meeting Specifications – Less Than Lethal Shotguns - Troy Police Department**

Resolution #2023-10-152-J-4a

RESOLVED, That Troy City Council hereby **AWARDS** a contract for the purchase of the Mossberg Less Than Lethal Shotguns with attachments and ammunition for an estimated total cost of \$63,795.63 less the estimated trade-in value of \$13,000 for an estimated total amount of \$50,795.63, to low bidder meeting specifications *CMP Distributors, Inc. of Lansing, MI*; at unit prices contained in the bid tabulation, opened September 14, 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 submission of properly executed bid and contract documents and all other specified requirements.

- b) **Standard Purchasing Resolution 2: Award to Sole Bidder Meeting Specifications – TST Rifle Replacement**

Resolution #2023-10-152-J-4b

RESOLVED, That Troy City Council hereby **AWARDS** a contract for TST Rifles and Attachments for an estimated cost of \$73,129.80 less the estimated trade-in value of \$20,050.00 for an estimated total cost of \$53,079.80 to sole bidder meeting specifications *Precision Arms of Indiana LLC, dba PAI Defense of Columbia, IN*; at unit prices contained in the bid tabulation, opened September 21, 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 and contract documents and all other specified requirements.

c) Standard Purchasing Resolution 2: Award to Low Bidder Meeting Specifications – Liquid Calcium Chloride

Resolution #2023-10-152-J-4c

RESOLVED, That Troy City Council hereby **AWARDS** a one-year contract to provide seasonal requirements of Liquid Calcium Chloride with the option to renew for one additional year to the low bidder meeting specifications, *Liquid Calcium Chloride Sales, Inc. of Kawkawlin, MI* for an estimated total cost of \$66,740.00, at the unit prices contained in the bid tabulation opened October 5, 2023, a copy of which shall be **ATTACHED** to the original Minutes of this meeting, with the contract expiring November 30, 2025, not to exceed budgetary limitations.

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.

d) Standard Purchasing Resolution 4: Oakland County Extended Purchasing Contract – Police Department Domestic Hot Water Boiler Replacement

Resolution #2023-10-152-J-4d

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* to furnish all labor, materials and equipment for the Police Department Tankless Hot Water System for an estimated cost of \$110,351 as detailed in the attached proposal per the Oakland County Extended Purchasing Contract #009746; not to exceed budgetary limitations.

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

J-5 Approval of Agreement with GovHR for City Manager Recruitment and Selection

Resolution #2023-10-152-J-5

RESOLVED, That in the best interest of the City, Troy City Council hereby **WAIVES** the formal bid process and **AWARDS** a contract to *GovHR USA of Northbrook IL* for City Manager Recruitment and Selection Services, for \$23,500, as detailed in the attached Agreement.

BE IT FURTHER RESOLVED, That Troy City Council hereby **APPROVES** the Agreement, incorporating the Proposal for City Manager Recruitment and Selection Services, and **AUTHORIZES** the Mayor and City Clerk to execute the Agreement on behalf of the City; a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

BE IT FINALLY RESOLVED, That the Agreement is **CONTINGENT** upon GovHR USA's submission of the required insurance coverage documentation.

J-6 Oakland County License Agreement for Use of Troy Community Center as Early Voting Center

Resolution #2023-10-152-J-6

WHEREAS, Troy City Council approved the Agreement for Election Services Between Oakland County and City of Clawson and City of Troy at the Regular City Council Meeting on September 18, 2023, establishing an Early Voting Center at the Troy Community Center for voters of Troy and Clawson;

THEREFORE, BE IT RESOLVED, That Troy City Council hereby **APPROVES** the Oakland County License Agreement for Use of Troy Community Center, and **AUTHORIZES** the Mayor and City Clerk to execute the agreement on behalf of the City of Troy, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

J-7 Appeal of Denial of Massage Facility License Application – Muscle Healing Massage and Foot Care, LLC

Resolution #2023-10-152-J-7

RESOLVED, That Troy City Council hereby **UPHOLDS** the City Clerk's denial of the Massage Facility License Application for Muscle Healing Massage and Foot Care, LLC.

J-8 Authorization for Grant Submittal – Transportation Alternative Program for Troy's Non-Motorized Pathway Network – Sidewalk Gaps and Pedestrian Crossing

Resolution #2023-10-152-J-8

WHEREAS, The City of Troy has plans to construct non-motorized pathways along Square Lake Road (between Rochester and John R), Livernois Road (between Hartland Avenue and Town Center Drive), and Long Lake Road (at Jaycee Park);

WHEREAS, The Michigan Transportation Alternatives Program (TAP) has grant funds available for the construction costs of the proposed project under the *Facilities for pedestrians and bicyclists, including traffic calming and other safety improvements* category;

WHEREAS, The City of Troy believes it to be appropriate to submit an application for a TAP grant in the amount 80% of construction and the City Council has identified sources of funding to contribute the required local match and any cost overruns;

WHEREAS, The City Council has authorized Kurt Bovensiep, Public Works Director, as representative on behalf of the City of Troy to sign a contract upon receipt of a grant funding award;

WHEREAS, The City of Troy has committed to maintaining the pathway in perpetuity and has claimed responsibility for engineering, permitting, and any non-participating construction and administration items;

NOW, THEREFORE, BE IT RESOLVED, That the City of Troy hereby **RESOLVES** to take all actions necessary to submit a Michigan Transportation Alternatives Program (TAP) grant application in connection with the above referenced pathway construction along Square Lake, Livernois, and Long Lake Roads, as outlined in the application.

J-9 Request to Grant Two Easements to Fetterly Drainage District and Nelson Drainage District – Jaycee Park – Sidwell #88-20-11-400-016

Resolution #2023-10-152-J-9

RESOLVED, That Troy City Council hereby **GRANTS** two permanent easements for the Fetterly Drainage District and the Nelson Drainage District for the purpose of operation, maintenance, repair and replacement of the drain systems in Jaycee Park, Sidwell #88-20-11-400-016.

BE IT FURTHER RESOLVED, That Troy City Council hereby **DIRECTS** the Mayor and City Clerk to **EXECUTE** the easement documents on behalf of the City of Troy.

J-10 Private Agreement – Contract for Installation of Municipal Improvements – Crooks and Big Beaver (Kelly Services) Mixed-Use Redevelopment – Project No. 22.908.3

Resolution #2023-10-152-J-10

RESOLVED, That Troy City Council hereby **APPROVES** the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Troy KS Development LLC for the installation of Water Main, Sanitary Sewer, Storm Sewer, Concrete Pavement, Sidewalk, Underground Detention System, 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.

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):

- a) 2024 City Council Meeting Schedule

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

Marcia Bossenberger	Commented that future PUDs should not be built in Troy, especially the development near Ottawa drive
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Mark Gunn	Commented that he is helping a resident named Dorothy with an issue. Dorothy commented that she has problems with her property that backs up to the Nature Center, and the compost and waste that is left at the property line. Mr. Gunn commented that there is also a lighting issue.
Dave Lambert	Thanked Council Member Abraham for her service to the City of Troy over the past 8 years. Commented that one year ago, the Oakland County Transportation Millage, that was passed by the voters, was supposed to expand the Smart Flex transportation plan, but as of today, that plan has still not been expanded.
Dale Murrish	Commented on campaign topics of the various candidates on the November 7 th ballot.

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

Mayor Baker replied that he has spoken with resident, Dorothy, regarding the light pollution and other issues with the Troy Nature Center. He deferred to City Administration to provide a response. City Manager Miller indicated they will follow up with a report to City Council.

Mayor Baker replied to Mr. Lambert that he has met with SMART and asked about expanding the SMART Flex service. He said he will follow up with SMART again.

Council Member Hodorek responded to Mrs. Bossenberger that the process for the proposed development will be heard before the Planning Commission before it comes before City Council.

Council member Hodorek responded to Mr. Murrish that the City Charter requires all City Council members to be non-partisan and represent all Troy residents. She said she originally became an activist in Troy because she saw partisanship impacting decisions that jeopardized the AAA bond rating in Troy. She replied that every Council Member since she started on City Council has prioritized public safety – fire, police and EMS, and has budgeted accordingly. She said the police department has a very rigorous recruitment process to ensure that Troy has the best officers serving Troy residents.

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) Civil Service Commission (Act 78)-Final – July 24, 2023
- b) Election Commission-Final – August 29, 2023

Noted and Filed

O-2 Department Reports:

- a) 2023 Lead and Copper Rule Monitoring Update
- b) Master Plan Community Engagement Update
- c) Third Quarter 2023 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

Mayor Pro Tem Chamberlain-Creanga thanked her son, who is in the audience, for attending the meeting tonight.

Council Member Brooks commented on Nature Uncorked fundraising event on Friday, November 10, 2023.

Mayor Baker commented on Frightful 5k on Sunday, October 22, 2023. Early registration is available at <https://rec.troy.mi.gov/frightful5k>

Mayor Baker commented on the upcoming election and the postcards recently mailed notifying voters of the new 9 days of early voting. Voters may find information available at www.troy.mi.gov/elections.

Council Member Hamilton commented on the early voting period that will begin Saturday, October 28th and go through Sunday, November 5th, at the Troy Community Center.

Council Member Erickson Gault discussed her history of knowing Council Member Abraham, and thanked her for her service to the City of Troy over the past 8 years, and the years before that when she was advocating for the Troy Public Library and other City issues.

Council Member Hamilton thanked Council Member Abraham for her service to the City, and for inspiring him to run for City Council as well.

Mayor Pro Tem Chamberlain-Creanga commented that Council Member Abraham was her inspiration to get involved with City government by participating on committees prior to joining City Council.

Council Member Brooks thanked Council Member Abraham for being such a positive, amazing impact on the lives of City Council, and so many people.

Council Member Hodorek commented that Council Member Abraham was her inspiration for getting involved in supporting the library and eventually running for City Council. She said Council Member Abraham's depth of character and integrity that is truly amazing and has blessed the Troy Community.

Mayor Baker shared words he wrote about Council Member Abraham from his State of The City addresses and said Council Member Abraham is a model of what a local government official should be. He said it was his honor to serve with someone so well-loved by her colleagues, City staff, and community members, and he thanked her for her service on City Council.

Council Member Abraham thanked everyone for their comments, and commented that if she made a favorable impression on council, staff, or the community, take that forward. She discussed the history of how she became involved in government. She said she never fathomed the challenges the City would have faced and is proud to leave the City in a more ethical, more financially secure, more safe, and more committed than ever to improving the quality of life services for Troy residents. She commented on the time requirements needed to be a successful City Council member, and explained that increasing personal responsibilities impacted her decision not to run for re-election as she recognized that her caregiving role would prevent her from serving the residents of Troy fully to her expectations. She thanked her support system and fellow City Council members for their impact on her role as City Council member. She spoke about the quality of City staff and thanked the leadership of City Manager Miller and City Attorney Bluhm. She commented to the individuals that will be elected to City Council and shared advice on skills needed to do the job successfully. She lastly thanked everyone and commented that she is confident Troy is and will be in capable hands.

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 9:46 PM.

The Meeting **RECONVENED** at 9:52 PM.

R. CLOSED SESSION

R-1 Closed Session

S. ADJOURNMENT:

The Meeting **ADJOURNED** at 10:10 PM.

Mayor Ethan Baker

M. Aileen Dickson, MMC, MiPMC II
City Clerk