

MINUTES OF COUNCIL

A regular session of Troy City Council was held Tuesday, February 19, 2019, at 7:00 p.m. in Council Chambers.

Members Present: Heath, Kendall, Lutz, Oda, Phillips, Severt, Schweser and Twiss.

Upon motion of Mr. Phillips, seconded by Mr. Kendall, Mr. Terwilliger was excused from this meeting by unanimous roll call vote.

Presiding Officer: Martha A. Baker President of Council

Others Present: Michael L. Beamish Mayor  
Patrick E. J. Titterington Director of Public Service and Safety  
Grant D. Kerber Director of Law

INVOCATION & PLEDGE OF ALLEGIANCE: An invocation was given by Council President Baker, followed by the Pledge of Allegiance.

PUBLIC HEARING: At 7:02 p.m., Mrs. Baker declared open a public hearing on Ordinance No. O-3-2019, the rezoning of IL 10622 from M-2 to an Industrial PD. There were no comments in this regard, and at 7:03 p.m. Mrs. Baker declared this public hearing closed.

MINUTES: The Clerk gave a summary of the minutes of the February 4, 2019, meeting of Troy City Council. There were no corrections or additions to these minutes. Upon motion of Mr. Heath, seconded by Mr. Schweser, these minutes were approved by unanimous roll call vote.

COMMITTEE REPORTS:

Finance Committee: Mr. Kendall, Chairman, reported as follows:

- 1) Committee recommends legislation be prepared amending the fee schedule to adjust the Cemetery Fees as recommended by the Cemetery Foreman, with the new fees to be effective April 1, 2019.
- 2) Committee supports the recommendation of the Loan Review Committee of approving a second Small Business Development Revolving Loan application of Slimline Surgical Devices dba Canyon Run Engineering Technologies in the amount of \$83,737.50. Committee supports emergency legislation so that the loan can be processed without delay so that the business can order the new equipment.

Reports signed by Schweser, Severt and Kendall.

Personnel Committee: Mr. Severt, Chairman, reported as follows:

- 1) Oral Report – Mr. Severt, Chairman reported that the terms have expired for Council's two appointees to the Community Reinvestment Area (CRA) Housing Council – Mark Douglas and Larry Smith. Both are willing to be reappointed. A motion was made by Mr. Severt, seconded by Mr. Kendall, that Council reappoint Mark Douglas and Larry Smith to the Community Reinvestment Area (CRA) Housing Council for terms retroactive to January 1, 2019 through December 31, 2021. Motion passed by unanimous roll call vote.
- 2) Regarding the Troy Reinvestment Fund (TRF), Mr. Severt, Chairman, reported that Committee met and recommended that legislation be prepared authorizing the positions of Director of Public Service and Safety and City Auditor to be appointees to the Board of Directors of the non-profit organization Troy Reinvestment Fund (TRF). To enable consideration by the IRS of the TRF's application for 501 (c)(3) tax exempt status, which will allow the Troy Reinvestment Fund to begin its non-profit activities as soon as possible, Committee supports emergency legislation.  
Report signed by Kendall, Twiss and Severt.

Discussion.

-Mr. Severt then commented that since the Committee Meeting, there has been concerns regarding appointing City representatives to the TRF and Mr. Kendall has asked to comment on that.

-Mr. Kendall stated that in light of information coming to his attention post the Committee meeting, he has since learned there is no support to encumber or appropriate or otherwise expend city taxpayers' money for this proposed purpose. As such, there does not seem a need to place anyone from within the city administration on this committee. If anyone would like to independently join or become a part of an advisory non-profit, that is their personal prerogative. Mr. Kendall further commented that with this in mind, he would like to withdraw his support for this legislation and the Council may take whatever action they deem necessary.

-Mr. Phillips commented that he was out of state when the Committee meeting was held, he has reviewed the video, and has serious reservations about City involvement in these sorts of thing that has with other funds available. Mr. Phillips further commented that he supports non-profit organizations but had concerns about City funds being put into a non-profit organization with no Council oversight.

-Mr. Severt commented that he received an email from City Auditor John Frigge who expressed concern about being appointed to the TRF.

Recreation & Parks Committee: Mr. Heath, Chairman, reported as follows:

- 1) Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to execute the Treasure Island Non-Ticketed Use Agreements for two concerts at Treasure Island Park on June 29 and August 3, which has been recommended by the Troy Recreation Board and the Board of Park Commissioners. As alcohol sales will be permitted at these two concerts, approval of Council is required.
- 2) Committee recommends legislation be prepared approving the name of the event/concession area at the Miami Shores Golf Course Club House to be named "The Shoreline."

Reports signed by Oda and Heath.

Discussion. Regarding, the naming of the area at Miami Shores, Mr. Phillips stated he found the variety of names submitted by the public to be interesting.

Utilities Committee: Mr. Twiss reported as follows:

- 1) Committee recommends legislation be prepared authorizing a new intergovernmental agreement with the City of Dayton, whereby Dayton removes lime sludge residual from the lagoons at Troy's Water Treatment Plant, re-kilns the residual, and sells Troy the resultant reclaimed pebble lime. It was noted that this is done at less cost than the City contracting for the cleaning of the lime sludge lagoons and purchasing pebble lime from a vendor. The new agreement will also provide for Dayton removing additional lime residual from the lagoons to keep the levels low.
- 2) Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to advertise for bids and enter into a contract for the replacement of the Programmable Logic Controllers System at the Wastewater Treatment Plant at a cost not to exceed \$170,000.

Reports signed by Lutz and Twiss.

CITIZEN COMMENTS: None.

#### RESOLUTION NO. R-4-2019

RESOLUTION APPROVING THE APPLICATION OF SLIMLINE SURGICAL DEVICES DBA CANYON RUN ENGINEERING TECHNOLOGIES FOR ASSISTANCE FROM THE SMALL BUSINESS DEVELOPMENT REVOLVING LOAN FUND AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

Mr. Kendall moved for suspension of rules requiring three readings. Motion seconded by Mr. Schweser.

Yes: Twiss, Kendall, Lutz, Oda, Phillips, Schweser, Heath and Severt.

No: None.

Mr. Kendall moved for adoption. Motion seconded by Mr. Heath.

Yes: Kendall, Lutz, Oda, Phillips, Schweser, Heath, Severt and Twiss.

No: None.

RESOLUTION ADOPTED

#### RESOLUTION NO. R-5-2019

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE REPLACEMENT OF THE PROGRAMMABLE LOGIC CONTROLLERS (PLC) SYSTEM AT THE WASTEWATER TREATMENT PLANT

This Resolution was given first title reading.

Mr. Phillips moved for suspension of rules requiring three readings. Motion seconded by Mr. Twiss.

Yes: Lutz, Oda, Phillips, Schweser, Heath, Severt, Twiss and Kendall.

No: None.

Mr. Heath moved for adoption. Motion seconded by Mr. Phillips.

Yes: Oda, Phillips, Schweser, Heath, Severt, Twiss, Kendall and Lutz.

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-6-2019

RESOLUTION NAMING THE CONCESSION/EVENT AREA AT THE MIAMI SHORES GOLF COURSE CLUBHOUSE AS "THE SHORELINE"

This Resolution was given first title reading.

Mr. Heath moved for suspension of rules requiring three readings. Motion seconded by Mr. Phillips.

Yes: Phillips, Schweser, Heath, Severt, Twiss, Kendall, Lutz and Oda.

No: None.

Mr. Heath moved for adoption. Motion seconded by Mr. Twiss.

Yes: Schweser, Health, Severt, Twiss, Kendall, Lutz, Oda and Phillips.

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-7-2019

RESOLUTION ADJUSTING FEES RELATED TO VARIOUS SERVICES OF THE CITY OF TROY, OHIO

This Resolution was given first title reading.

Mr. Phillips moved for suspension of rules requiring three readings. Motion seconded by Mr. Schweser.

Yes: Health, Severt, Twiss, Kendall, Lutz, Oda, Phillips and Schweser.

No: None.

Mr. Schweser moved for adoption. Motion seconded by Mr. Heath.

Yes: Severt, Twiss, Kendall, Lutz, Oda, Phillips, Schweser and Heath.

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-8-2019

A RESOLUTION APPOINTING THE CITY OF TROY, OHIO DIRECTOR OF PUBLIC SERVICE AND SAFETY AND CITY AUDITOR AS THE CITY OF TROY APPOINTEES TO THE BOARD OF DIRECTORS OF THE NOT-FOR-PROFIT CORPORATION TROY REINVESTMENT FUND AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

Mr. Lutz moved for suspension of rules requiring three readings. Motion seconded by Mr. Phillips.

Yes: Twiss, Kendall, Lutz, Oda, Phillips, Schweser, Heath and Severt.

No: None.

Mr. Lutz moved for adoption. Motion seconded by Mr. Kendall.

Yes: Twiss.

No: Kendall, Lutz, Oda, Phillips, Schweser, Heath and Severt.

RESOLUTION FAILED ADOPTION

ORDINANCE NO. O-3-2019

AN ORDINANCE CHANGING THE ZONING OF INLOT 10622 (PARCEL NO. D08-104346) IN THE CITY OF TROY, OHIO FROM M-2, LIGHT INDUSTRIAL DISTRICT TO AN INDUSTRIAL PLANNED DEVELOPMENT (PD)

This Ordinance was given first title reading on February 4, 2019.

Given Public Hearing and second title reading.

ORDINANCE NO. O-4-2019

ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT REGARDING THE PURCHASE OF LIME FROM THE CITY OF DAYTON, OHIO

This Ordinance was given first title reading.

ORDINANCE NO. O-5-2019

ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO EXECUTE TREASURE ISLAND NON-TICKETED USE AGREEMENTS FOR 2019 EVENTS AT TREASURE ISLAND PARK

This Ordinance was given first title reading.

Mr. Phillips moved for suspension of rules requiring three readings. Motion seconded by Mr. Heath.

Yes: Lutz, Oda, Phillips, Schweser, Heath, Severt, Twiss and Kendall.

No: None.

Mr. Kendall moved for adoption. Motion seconded by Mr. Schweser.

Yes: Oda, Phillips, Schweser, Heath, Severt, Kendall and Lutz.

No: Twiss.

ORDINANCE ADOPTED

COMMENTS OF THE DIRECTOR OF LAW: Regarding O-4-2019, Mr. Kerber commented that due to a water main break and boil advisory that the City of Dayton had been dealing with, Dayton representatives had not been able to provide final approval for the agreement, so he had suggested the City defer approval until Dayton officials had time to provide that final approval.

COMMENTS OF THE COUNCIL PRESIDENT: Regarding the Dayton water issue, Mrs. Baker asked if the City had mains under the river. Mr. Titterington stated that Troy did, and to the extent possible, with the pressure of the lines, the City monitored the condition of such lines.

COMMENTS OF MEMBERS OF COUNCIL:

-In response to Mr. Phillips, Mr. Titterington confirmed that the City also has sewer lines under the river and those lines are checked and monitored.

-Based on a weather advisory, Mr. Heath thanked City crews that may be out during the night to deal with snow and ice.

-Mr. Severt noted that he would not be attending the February 23 open forum scheduled by the three At Large members of Council as he has a family commitment.

COMMENTS OF MEMBERS OF THE AUDIENCE:

-Andy Luring, 918 Wheeler Street, thanked Council for the support of Lincoln Community Center, and asked about the current financial allocation and how that could be increased. Mr. Titterington responded that the 2019 allocation is \$25,000, which is slightly higher than the prior year, and financial requests are submitted during the budget process by the Executive Director/Board. In response to Mr. Phillips regarding City involvement over and above the \$25,000, Mr. Titterington responded that the City is responsible for outside/exterior maintenance of the center, provides grass mowing and plowing/salting the driveway and parking lot, and, as staff time may allow, helps with smaller interior maintenance project.

-Mr. Luring asked how the City interacts with the Board of Education to assure that there is a strong educational environment. Mrs. Baker commented that the Mayor and Director of Public Service and Safety communicate with school officials on a regular basis and the City's emphasis on economic development provides a stable tax basis and school funding.

There being no further business, Council adjourned at 7:35 p.m.

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Clerk of Council

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President of Council