

MINUTES OF COUNCIL

A regular session of Troy City Council was held on Monday, January 4, 2021, at 7:00 p.m. at the Bravo Room of Hobart Arena.

Members Attending: Phillips, Rozell, Schilling, Schweser, Severt, Snee, Terwilliger and Twiss.

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

Presiding Officer:	William Lutz,	President of Council
Also Attending:	Robin I. Oda	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 Mayor Oda, followed by the Pledge of Allegiance.

MINUTES: The Clerk gave a summary of the minutes of the December 21, 2020 meeting of Troy City Council. There were no corrections or additions to these minutes. Upon motion of Mr. Schweser, seconded by Mr. Schilling, these minutes were approved by unanimous roll call vote.

COMMITTEE REPORTS:

Community & Economic Development Committee: Mrs. Snee, Chairman, reported that Committee recommends legislation be prepared to approve the Revised Final Record Plan of the Troy Christian Schools Education and Performing Arts Facility Planned Development-Residential, as recommended by the Troy Planning Commission. Report submitted by Rozell, Twiss and Snee.

Community Partnerships Committee: Mr. Rozell, Chairman, reported that Committee reviewed the legislative items

required to establish a Property Assessed Clean Energy (PACE) Program to finance energy efficient and renewable energy projects. This program, established by State Law, is an additional economic development incentive tool to help businesses and industries make qualifying physical improvements to a property which creates energy savings and to finance the improvements and pay back the cost of the improvements through a special assessment added to the property tax over a period of 15-25 years. Once an initial application is approved, which includes creating an Energy Special Improvement District (ESID) for the properties covered by an application, the District can be expanded to include other properties or the entire City. The City has received an application to establish the program for improvements at 224-226 S. Market Street. Committee recommends that legislation be prepared to establish a PACE program, including an Energy Special Improvement District (ESID), and approve the application for 224-226 S. Market Street. The Committee also supports emergency legislation so that the program can be established and the submitted application approved. The Committee noted that there will actually be three pieces of legislation to be considered:

1. Resolution of Necessity (which includes establishing the Troy ESID)
2. Ordinance to Proceed
3. Ordinance Levying Assessments

Report submitted by Allen, Schweser and Rozell.

Finance Committee: Mr. Schweser, Chairman reported that Committee recommends legislation be prepared to authorize the Director of Public Service and Safety to execute a subordination loan agreement with Greenville Federal Bank for the SBD loan R&E, LLC which will permit the company to restructure their commercial debt and purchase of an additional industrial zoned property in Troy. In that both R&E, LLC and Greenville Federal Bank wish to complete the subordination process as soon as possible, Committee supports emergency legislation. Report submitted by Phillips, Severt and Schweser.

Law & Ordinance Committee: Mr. Severt, Chairman, provided an oral report of notices of Liquor Permit Applications as follows:

- New D3A permit for A&R Troy LLC, Agave & Rye, 2 N. Market Street, to extend issued permit privileges until 2:30 am.
- Transfer of three existing C1, C2, and D6 permits from the name of Road Pop Stop, Inc., 1265 S. Dorset Road, to KKA, LLC, dba Dorset Pop Stop, of the same address.

COMMENTS ON AGENDA ITEMS: NONE.

## RESOLUTION NO. R-1-2021

A RESOLUTION APPROVING THE PETITION, PLAN, AND ARTICLES OF INCORPORATION OF THE TROY ENERGY SPECIAL IMPROVEMENT DISTRICT, INC. AND DECLARING THE NECESSITY OF ACQUIRING, CONSTRUCTING, AND IMPROVING CERTAIN PUBLIC IMPROVEMENTS IN THE CITY OF TROY, OHIO IN COOPERATION WITH THE TROY ENERGY SPECIAL IMPROVEMENT DISTRICT, INC., AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

Mr. Severt moved for suspension of rules requiring three readings. Motion seconded by Mr. Schilling.

Yes: Rozell, Schilling, Schweser, Severt, Snee, Terwilliger and Phillips.

No: None.

Recuse: Mr. Twiss (due to a family relationship with the applicant).

Mr. Schweser moved for adoption. Motion seconded by Mrs. Snee.

Yes: Schilling, Schweser, Severt, Snee, Terwilliger, Phillips and Rozell.

No: None.

Recuse: Mr. Twiss (due to a family relationship with the applicant).

RESOLUTION ADOPTED

## RESOLUTION NO. R-2-2021

RESOLUTION AUTHORIZING THE SALE DURING CALENDAR YEAR 2021 OF MUNICIPALLY-OWNED PERSONAL PROPERTY WHICH IS NOT NEEDED FOR PUBLIC USE, OR WHICH IS OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED, BY INTERNET AUCTION PURSUANT TO OHIO REVISED CODE SECTION 721.15 (D)

This Resolution was given first title reading.

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

Yes: Schweser, Severt, Snee, Terwilliger, Twiss, Phillips, Rozell and Schilling.

No: None.

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

Yes: Severt, Snee, Terwilliger, Twiss, Phillips, Rozell, Schilling and Schweser.

No: None.

RESOLUTION ADOPTED

## ORDINANCE NO. O-1-2021

ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, AND IMPROVING CERTAIN PUBLIC IMPROVEMENTS IN THE CITY OF TROY, OHIO IN COOPERATION WITH THE TROY ENERGY SPECIAL IMPROVEMENT DISTRICT, APPROVING AN ENERGY PROJECT COOPERATIVE AGREEMENT AND A SPECIAL ASSESSMENT AGREEMENT, AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

Mr. Phillips moved for suspension of three readings. Motion seconded by Mr. Severt.

Yes: Snee, Terwilliger, Phillips, Rozell, Schilling, Schweser and Severt.

No: None.

Recuse: Mr. Twiss (due to a family relationship with the applicant).

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

Yes: Terwilliger, Phillips, Rozell, Schilling, Schweser, Severt and Snee.

No: None.

Recuse: Mr. Twiss (due to a family relationship with the applicant).

ORDINANCE ADOPTED

## ORDINANCE NO. O-2-2021

ORDINANCE DETERMINING TO PROCEED WITH THE ACQUISITION, CONSTRUCTION, AND IMPROVEMENT OF CERTAIN PUBLIC IMPROVEMENTS IN THE CITY OF TROY, OHIO IN COOPERATION WITH THE TROY ENERGY SPECIAL IMPROVEMENT DISTRICT AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

Mr. Severt moved for suspension of three readings. Motion seconded by Mr. Schilling.

Yes: Phillips, Rozell, Schilling, Schweser, Severt, Snee and Terwilliger.

No: None.

Recuse: Mr. Twiss (due to a family relationship with the applicant).

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

Yes: Phillips, Rozell, Schilling, Schweser, Severt, Snee and Terwilliger.

No: None.

ORDINANCE NO. O-3-2021

ORDINANCE ACCEPTING THE REVISED FINAL RECORD PLAN OF THE PLANNED DEVELOPMENT – RESIDENTIAL AT 700 S. DORSET ROAD, FOR THE TROY CHRISTIAN SCHOOLS EDUCATION AND PERFORMING ARTS FACILITY

This Ordinance was given first title reading.

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

Yes: Rozell, Schilling, Schweser, Severt, Snee, Terwilliger, Twiss and Phillips.

No: None.

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

Yes: Schilling, Schweser, Severt, Snee, Terwilliger, Twiss, Phillips and Rozell.

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-4-2021

ORDINANCE SUBORDINATING A MORTGAGE LIEN FOR R&E, LLC AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

Mr. Schilling moved for suspension of three readings. Motion seconded by Mr. Severt.

Yes: Schweser, Severt, Snee, Terwilliger, Twiss, Phillips, Rozell and Schilling.

No: None.

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

Yes: Severt, Snee, Terwilliger, Twiss, Phillips, Rozell, Schilling and Schweser.

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-5-2021

ORDINANCE TO ACCEPT THE APPLICATION FOR THE ANNEXATION OF CERTAIN TERRITORY CONTAINING 3.714 ACRES, MORE OR LESS, IN CONCORD TOWNSHIP, TO THE CITY OF TROY, OHIO

This Ordinance was given first title reading.

Mr. Phillips moved for suspension of three readings. Motion seconded by Mr. Rozell.

Yes: Snee, Terwilliger, Twiss, Phillips, Rozell, Schilling, Schweser and Severt.

No: None.

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

Yes: Terwilliger, Twiss, Phillips, Rozell, Schilling, Schweser, Severt and Snee.

No: None.

ORDINANCE ADOPTED

COMMENTS OF MAYOR ODA: The Mayor stated wishes for good New Year.  
(The Mayor distributed copies of her annual report – copy attached to original minutes.)

COMMENTS OF THE DIRECTOR OF PUBLIC SERVICE AND SAFETY: Mr. Titterington noted that leaf collection continues. He also noted that the next meeting will be held Tuesday, January 19 due to the Dr. Martin Luther King, Jr., Holiday; however, refuse collections will not be delayed due to the holiday.

DIRECTOR OF LAW ANNUAL REPORT: Mr. Kerber distributed copies of his annual report. (Copy attached to original minutes.)

AUDIENCE COMMENTS: Doug Page, 421 S. Plum Street, asked about a sign that had been posted the prior week on City Hall doors indicating that persons were welcome in City Hall including if they did not wear a mask. Mr. Page asked if that signage was not in conflict with the illnesses and deaths resulting from COVID-19, and State Offices requiring/requesting masks. The Mayor stated that she had placed the signs, but understood they had been removed. Mr. Page indicated one City Hall entry door still bears the sign. Mr. Lutz expressed his concern that signs were placed on public property indicating the opinion of an elected official.

There being no further business, the meeting adjourned at 7:23 p.m.

