

MINUTES OF COUNCIL

A regular session of Troy City Council was held on Tuesday, January 19, 2021, at 7:00 p.m. at the Bravo Room of Hobart Arena.

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

Upon motion of Mr. Phillips, seconded by Mr. Terwilliger, Mr. Schilling 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 Council Member Allen, followed by the Pledge of Allegiance.

MINUTES: The Clerk gave a summary of the minutes of the January 4, 2021 meeting of Troy City Council. There were no corrections or additions to these minutes. Upon motion of Mr. Rozell, seconded by Mr. Twiss, these minutes were approved by unanimous roll call vote.

COMMITTEE REPORTS:

Finance Committee: Mr. Schweser, Chairman, reported that Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to execute a subordination loan agreement for Keystone Real Estate Group, LLC. So that the subordination process can be completed as soon as possible, the Committee supports emergency legislation.
Report submitted by Phillips, Severt and Schweser.

Personnel Committee: Mr. Twiss, Chairman, provided an oral report that Council appoints one of the five members to the Energy Special Improvements District (ESID) Board, which Board was established related to the PACE Program. A motion was made by Mr. Twiss, seconded by Mrs. Snee, that Council appoints City Auditor John Frigge to the ESID Board. Motion passed by unanimous roll call vote.

Streets & Sidewalks Committee: Mr. Phillips, Chairman, reported that Committee recommends that legislation be prepared authorizing the Director of Public Service and Safety to enter into a professional services agreement with the firm of American Structurepoint, Inc. at a cost not to exceed \$55,000 for a traffic study along West Main Street from Marybill Drive to the I-75 Northbound Ramps and assisting with an associated funding application.
Report submitted by Schilling, Snee and Phillips.

COMMENTS ON AGENDA ITEMS: NONE.

RESOLUTION NO. R-3-2021

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL SERVICES WITH AMERICAN STRUCTUREPOINT, INC. TO PROVIDE A SAFETY STUDY INCLUDING A GRANT FUNDING APPLICATION REGARDING THE AREA OF WEST MAIN STREET FROM MARYBILL DRIVE TO THE INTERSTATE-75 NORTHBOUND RAMPS

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

ORDINANCE NO. O-6-2021

ORDINANCE SUBORDINATING A MORTGAGE LIEN FOR KEYSTONE REAL ESTATE GROUP, LLC AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

COMMUNICATIONS: The Clerk noted that Council received a certificate thanking the City for the participation and support regarding the United States Census 2020.

COMMENTS OF MEMBERS OF COUNCIL: Mr. Severt, a member of the Human Relations Commission (HRC), commented that Council received a copy of the 2020 Annual Report issued by the HRC. Mr. Severt noted that the Commission or a subcommittee had met at least 25 times since being appointed, and provided the goals and initiatives stated in the Annual Report for the review of Council. (Copy of report attached to original minutes.)

AUDIENCE COMMENTS: 22 persons spoke related to a recent signage posted on City Hall doors for a short period regarding wearing of masks when coming into City Hall, which signs Mayor Oda acknowledged posting. The following spoke:

- Cassi Carranza, 210 Kiser Lane, Troy, Ohio, commented she understood there is a plan to recall Mayor Oda and she opposes that; the Mayor supports the signs that were posted to support businesses, masks impair the ability to breathe she does not believe the signs were political but help to provide full and accurate information, and people need to understand there are exemptions to wearing a mask.
- Brian Kemper, 412 W. Canal Street, stated he is medically exempt from wearing a mask and has been ill-treated because he does not wear a mask. He commented that there should be less attention to Covid-19 as it has a 95% survival rate and more attention paid to increased suicides and mental health issues resulting from the pandemic requirements with people being isolated and separated from family. He stated that the Governor and Health Department are lying to citizens, and that when the Governor ordered closings, abortion clinics remained open.
- Dave Desser, 512 W. Canal Street, Troy, Ohio indicated his support of the Mayor. He commented about people not being able to wear a mask for various reasons and that should be respected. He also commented that based on statistics regarding Ohio nursing homes, COVID deaths were three per facility or 70-80 per County, and most counties have more suicides than that. He commented that the rights of everyone has to be protected.
- Sheila Kesling, 5216 SR 718, Troy, Ohio stated she supports the Mayor. She commented that she called a business owner meeting and the Mayor attended; that the sign later posted by the Mayor was read at that meeting and she feels the sign is not anti-masks and allows for exemptions. She commented she posted the sign at her business and did not mean to falsify a document or manipulate the public. Ms. Kesling commented that some business owners will not follow another shut down if mandated
- Linda McKowen, 737 Shaftsbury Road, Troy, Ohio, stated she is proud live here because of the Mayor.
- Juan Fernandez, 4313 McCandliss Road, Troy, Ohio, stated he believes Troy is welcoming to all sorts of people; no one has ever fought a global pandemic before; all should be aware of exemptions for wearing a mask. He indicated that doing something to someone out of malice is wrong, and people should meet in the middle on issues.
- Maureen Green, 5337 Fenwick Drive, Cincinnati, Ohio, stated she was a nurse for 27 years, is now disabled, and because people do not know how to use masks is why they are getting sick and dying. She suggested that forcing mask wearing creates a situation of people being afraid to offend someone and becoming ill from wearing a mask. She indicated that medicines recommended may not be the correct medicines. Ms. Green commented that people who do not wear masks may be frequently be discriminated against, even if they have medical exemptions. Ms. Green offered to share her knowledge with the City to help bring people out of fear.
- Pete Avnaum, 920 W. Pinehurst Drive, Tipp City, Ohio, stated there is no science that wearing mask helps stop the spread of COVID; there is science that masks will hurt people; deaf persons are at a disadvantage because they cannot see lips to read lips; and many masks used are made of cancer causing carcinogens.

- Aimee Shannon, 1560 Windridge, Apt. D, Troy, Ohio, indicate that a number of residents are concerned; the issue is not to recall the Mayor but to have discussions. Ms. Shannon indicated that she had COVID-19 in December that has caused other health issues. She indicated that she wears a mask; has been bullied by people because she does wear a mask, including some people at this meeting; she feels the current mask mandate is a law; she is concerned because the posted sign appeared to be from the Ohio Department of Health; she feels people can work together; and supports COVID-friendly events following the advice of public health experts. She commented that Miami County continues to have a higher COVID rate than larger areas.
- Kim Oda, 111 Littlejohn Road, Troy, Ohio, commented that she is mostly bothered that any leadership would take this stance over signs and wearing masks and hear people who are harvesting voices against any leader of this city. She commented that an effort to recall the Mayor does not represent majority of the population.
- Laura Sink, 4114 Fletcher Road, Covington, Ohio, commented that during the ordered shut down she could go to Walmart, but not go to downtown businesses and if there is another shut down order and businesses stay open, they will be supported. She commented that cloth masks do not catch COVID particles; other countries have stayed open and done better in containing COVID; and the CDC officials keep changing their opinions and recommendations.
- Jeff Lauderback, 7740 Brownhill Drive, Centerville, Ohio, stated he supports the Mayor. He indicated that there are citizen groups forming to help provide informed information and that if the attendees were all informed, none would be wearing masks. He thanked business that are staying open.
- Thomas Reed, 4130 Linden Avenue, Dayton, Ohio, stated he represents OhioStand up.org. and has a law suit against Gov. DeWine and will come back to Troy regarding anyone violating the Constitution. He commented that this matter comes down to good and evil and the devil are the enemy and are winning.
- Jennifer Nooks, 821 Enroe Drive, Dayton, Ohio asked what kind of City will Troy be if not supporting the Mayor who gave choices regarding masks.
- Mary Meyer, 2235 Peebles Road, Troy, Ohio, stated she supports the Mayor and supports entities that support the mental health issues resulting from the pandemic.
- Matt Simmons, 1700 Swailes Road, stated he was speaking as a citizen and not the Fire Chief. He stated he supports the Mayor. He commented that when the pandemic started he wanted the Health Department to be able to provide firefighters with more information about what they could expect from working with COVID citizens. He indicated that death rates for 2020 are less than those in 2019, but overdoses and suicides are higher. He noted that the City was involved in working with those caught up in heroin addiction when people wanted to discard them and provide no hope; and likewise, there needs to be hope and not fear when dealing with COVID-19.
- Sue Oda, 336 Shaftsbury Road, Troy, Ohio, asked if the City wants a Mayor with principles, who loves the City and interacts with people, or wants a yes person.
- Joe Overholser, 2429 Acorn Drive, Kettering, Ohio, stated he heard that the Mayor of Troy was respecting people who could not wear masks, and he has have heard nothing that masks are good for people to wear; and there is not backup to the good of wearing masks provided by the State or Public Health. He mentioned the "Great Barrington Declaration", which involves medical experts making common sense recommendations to fight the pandemic.
- Tamara Ganger, 922 Branford Road, Troy, Ohio, Executive Director of the Troy Senior Citizens Center, stated she respects how the Mayor feels about the big picture and is proud she is the Mayor.
- David Thomason, 691 E. Staunton Road, Troy, Ohio, Pastor of the Troy Baptist Church, stated he supports the Mayor, but he wants to focus on choice; Mayor Oda is Mayor because someone made a choice to put her here, the same as the choice was made regarding the elected officials present; and he understands the Mayor was leaving the choice of wearing a mask to the individual. He said he did not care about the logo on bottom of the sign and does not believe anyone would read it that closely. He commended City Council for the progress of the community.
- Heather Chappel, 11044 Gerlaugh Road, Medway, thanked the Mayor for an opportunity for a choice. She indicated she has health problems; her fear with masks is that it is a medical device being forced on her by people and not a doctor; that it psychologically bothers her to see people in masks; that masks are toxic and unhealthy; she comes to Troy to go to businesses where is not required to wear a mask; and people should have the health freedom they deserve.
- Lindsay Scalice Taylor, 4455 Casstown-Clark Road, Troy, Ohio, stated she supported the Mayor and the small businesses. She stated that her dad lived in fear; he was very cautious and wore a mask in the house, but now has COVID, and is in the hospital and on a ventilator. She stated she feels people are living in fear; but people going without masks are doing good. She commented that many small businesses were shut down as non-essential, while larger big businesses were allowed to stay open. As a small business owner, she commented on the negative impact the shut-down had on small businesses, including loss of income.

Mr. Phillips commented that from the tone of the persons speaking, it seemed there was some expectation that Council was going to do something. He commented that Council did not start this, the persons being at the meeting was a Facebook thing that drove the conversations; he does not anticipate anything legislatively; members of Council have had similar conversations with friends about concerns such as depression and drug addiction that can come with isolation; as a retired law enforcement officer, he understands the concerns with isolating a healthy population; but the comments made have come from a Facebook thing and that is where he feels the conversations should continue, and in a gracious way.

There being no further business, the meeting adjourned at 8:37 p.m.

Clerk of Council

President of Council