

MINUTES OF COUNCIL

A regular session of Troy City Council was held on Monday, March 7, 2022 at 7:00 p.m. in Council Chambers, City Hall.

Members Attending: Marshall, Phillips, Pierce, Rozell, Schilling, Severt, Snee, Twiss and Whidden.

Presiding Officer: William Lutz President of Council

Others Present: Robin I. Oda Mayor
Patrick E. J. Titterington Director of Public Service and Safety
Grant D. Kerber Director of Law
John E. Frigge Auditor

INVOCATION & PLEDGE OF ALLEGIANCE: An invocation was given by Councilmember Rozell, followed by the Pledge of Allegiance.

PUBLIC HEARINGS:

At 7:02 p.m., Council President Lutz declared open a public hearing on Resolution No. R-25-2022, application of EMATT EMARI EMARC Ohio Limited Family Partnership to retain land in an Agricultural District, 83.13 acres on Washington Road. There were no comments in this regard, and at 7:03 p.m., Mr. Lutz declared this public hearing closed.

At 7:03 p.m., Council President Lutz declared open a public hearing on Resolution No. R-26-2022, application of Neal Brothers Inc to retain land in an Agricultural District, two parcels of 105 acres on Experiment Farm Road. There were no comments in this regard, and at 7:04 p.m., Mr. Lutz declared this public hearing closed.

Mr. Lutz commented that both Agricultural District applications have been assigned to the Community & Economic Development Committee and will be discussed at a committee meeting on March 14.

MINUTES: The Clerk gave a summary of the minutes of the February 22, 2022, meeting of Troy City Council. There were no corrections or additions to these minutes. Upon motion of Mr. Rozell, seconded by Mr. Severt, these minutes were approved by unanimous roll call vote.

COMMITTEE REPORTS:

Community & Economic Development Committee: Mr. Schilling, Chairman, reported as follows:

1. Committee does not recommend that the moratorium on surface street parking lots in the Historic District be reissued.
2. Committee recommends that legislation be prepared to approve the replat and vacation of the utility easements between Inlot 11308 and Inlot 11309 in the Heritage Village at Troy Country Club Subdivision, and authorizing the Director of Public Service and Safety to execute any documents related to the easements.

Discussion. Mr. Titterington commented that the legislation had been prepared as an emergency measure, but that had not been noted on the agenda.

Reports submitted by Pierce, Snee and Schilling.

Community Partnerships Committee: Mr. Rozell, Chairman, reported as follows:

1. Committee recommends that legislation be prepared accepting the transfer of the 0.170 acre parcel at 130½ Ash Street, Parcel D08-010840, from the Lincoln Community Center Association, into the name of the City of Troy, Ohio. Committee supports emergency legislation so that the transfer can be completed without delay.
2. Committee recommends that legislation be prepared to approve the OneOhio MOU related to the opioid settlement, authorize the Director of Public Service and Safety to execute any acceptance documents, and to designate Fire Chief Matthew Simmons as a representative on the Region 15 Board. As the Board will need to meet as soon as possible and with the pending settlements, this Committee supports emergency legislation.

Reports submitted by Schilling, Severt and Rozell.

Finance Committee: Mr. Severt, Chairman, reported that Committee recommends legislation be prepared amending the allocation of the revenues related to fines for parking violations, which are currently 100% into the Parking and Downtown Improvement Fund, to be 75% to the Parking Meter Fund (Fund 712) and 25% to the Parking and Downtown Improvement Fund (Fund 231). Committee further supports emergency legislation and making this change retroactive to January 1, 2022.

Report submitted by Phillips, Rozell and Severt.

Personnel Committee: Mr. Pierce, Chairman, reported that Committee recommends legislation be prepared amending the FLSA Exempt Salary Ordinance to establish the position of Assistant Golf Professional under the Miami Shores Golf Course at the MGT-0 range.
Report submitted by Marshall, Twiss and Pierce.

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Streets & Sidewalks Committee: Mr. Phillips, Chairman, reported as follows:

1. Committee recommends that legislation be prepared to provide preliminary consent for ODOT to pave SR 55 from Peters Avenue/Grant Street to Franklin Street during State FY 2023, with the City paying approximately \$98,000 of an estimated \$500,000 project. Based on the ODOT format, Committee supports emergency legislation.
2. Committee recommends that legislation be prepared to accept the recommendation of the Assessment Equalization Board that Council approve a revised estimated assessment for the property at 118 South Stanfield Road related to the sidewalk and shared use path for the S. Stanfield Reconstruction Project Phase 1. Committee noted that the only appeal filed was for the 118 South Stanfield Road property, and the revised assessment for the property would be based on \$382.50 for 15 linear feet of sidewalk and 50% of \$4,377.80 for 530 sq. ft. of concrete apron. Committee supports emergency legislation so that the project funding and construction will remain on schedule.
3. Committee recommends that legislation be prepared authorizing the Director of Public Service and Safety to advertise for bids and enter into a contract for the West Main Street Utility Duct Bank Improvements at a total cost not to exceed \$1,000,000. This would be increasing the authorization from \$700,000 to \$1,000,000 based on a revised project estimate due to rising costs due to lack of workforce, supply chain issues, and labor and material cost increases. Committee supports emergency legislation so that a contract can be entered into without delay following the bid opening.

Reports submitted by Pierce, Snee and Phillips.

COMMENTS ON AGENDA ITEMS: NONE

RESOLUTION NO. R-20-2022

RESOLUTION APPROVING PARTICIPATION IN REGION 15 GOVERNANCE STRUCTURE UNDER THE ONEOHIO MEMORANDUM OF UNDERSTANDING, AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

Yes: Rozell, Snee, Pierce, Severt, Phillips, Schilling, Whidden, Marshall and Twiss.

No: None.

Mr. Whidden moved for adoption. Motion seconded by Mr. Pierce.

Yes: Snee, Pierce, Severt, Phillips, Schilling, Whidden, Marshall, Twiss and Rozell.

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-21-2022

RESOLUTION APPOINTING INITIAL REGIONAL REPRESENTATIVE TO THE ONEOHIO RECOVERY FOUNDATION, INC. BOARD, AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

Yes: Pierce, Severt, Phillips, Schilling, Whidden, Marshall, Twiss, Rozell and Snee.

No: None.

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

Yes: Severt, Phillips, Schilling, Whidden, Marshall, Twiss, Rozell, Snee and Pierce.

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-22-2022

A RESOLUTION AUTHORIZING CONSENT AND COOPERATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF STATE ROUTE 55 WITHIN THE RIGHT-OF-WAY OF THE CITY OF TROY, OHIO IN FY 2023, PARTICIPATION IN THE PROJECT, AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

Yes: Phillips, Schilling, Whidden, Marshall, Twiss, Rozell, Snee, Pierce and Severt.

No: None.
Mr. Twiss moved for adoption. Motion seconded by Mr. Phillips.
Yes: Schilling, Whidden, Marshall, Twiss, Rozell, Snee, Pierce, Severt and Phillips.
No: None.

RESOLUTION ADOPTED

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RESOLUTION NO. R-23-2022

RESOLUTION ACCEPTING THE REPORT OF THE ASSESSMENT EQUALIZATION BOARD, ADOPTING THE ESTIMATED ASSESSMENTS PREPARED FOR THE SIDEWALK/SHARED USE PATH PORTION OF THE SOUTH STANFIELD ROAD RECONSTRUCTION PROJECT PHASE 1 AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

Yes: Whidden, Marshall, Twiss, Rozell, Snee, Pierce, Severt, Phillips and Schilling.

No: None.

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

Yes: Marshall, Twiss, Rozell, Snee, Pierce, Severt, Phillips, Schilling and Whidden.

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-24-2022

RESOLUTION AMENDING RESOLUTION NO. R-57-2021, INCREASING THE AUTHORIZATION FOR THE WEST MAIN STREET DUCT BANK IMPROVEMENTS PROJECT AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

Yes: Twiss, Rozell, Snee, Pierce, Severt, Phillips, Schilling, Whidden and Marshall.

No: None.

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

Yes: Rozell, Snee, Pierce, Severt, Phillips, Schilling, Whidden, Marshall and Twiss.

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-25-2022

RESOLUTION APPROVING APPLICATION OF EMATT EMARI EMARC AN OHIO LIMITED FAMILY PARTNERSHIP FOR RENEWAL OF FARMLAND IN AN AGRICULTURAL DISTRICT

This Resolution was given first title reading.

RESOLUTION NO. R-26-2022

RESOLUTION APPROVING APPLICATION OF NEAL BROTHERS INC FOR RENEWAL OF FARMLAND IN AN AGRICULTURAL DISTRICT

This Resolution was given first title reading.

ORDINANCE NO. O-6-2022

ORDINANCE AUTHORIZING THE ACCEPTANCE OF PARCEL NO. D08-010840, LOCATED AT 130½ ASH STREET BY THE CITY OF TROY, OHIO AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

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

Yes: Snee, Pierce, Severt, Phillips, Schilling, Whidden, Marshall, Twiss and Rozell.

No: None.

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

Yes: Pierce, Severt, Phillips, Schilling, Whidden, Marshall, Twiss, Rozell and Snee.

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-7-2022

ORDINANCE APPROVING THE VACATION OF UTILITY EASEMENTS IN THE HERITAGE VILLAGE AT TROY COUNTRY CLUB SUBDIVISION, AND DECLARING AN EMERGENCY

This Ordinance was given first title reading

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

Yes: Severt, Phillips, Schilling, Whidden, Marshall, Twiss, Rozell, Snee and Pierce.

No: None.

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

Yes: Phillips, Schilling, Whidden, Marshall, Twiss, Rozell, Snee, Pierce and Severt.

No: None.

ORDINANCE ADOPTED

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ORDINANCE NO. O-8-2022

ORDINANCE AMENDING ORDINANCE NO. O-13-90 REGARDING THE ALLOCATION OF FINES FOR ALL PARKING VIOLATIONS AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

ORDINANCE NO. O-9-2022

ORDINANCE AMENDING ORDINANCE NO. O-68-2021 FIXING SALARIES AND WAGES OF CERTAIN EMPLOYEES OF THE CITY OF TROY, OHIO

This Ordinance was given first title reading.

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

Yes: Schilling, Whidden, Marshall, Twiss, Rozell, Snee, Pierce, Severt and Phillips.

No: None.

Mr. Whidden moved for adoption. Motion seconded by Mr. Rozell.

Yes: Whidden, Marshall, Twiss, Rozell, Snee, Pierce, Severt, Phillips and Schilling.

No: None.

ORDINANCE ADOPTED

COMMENTS OF MEMBERS OF COUNCIL:

-Mr. Severt commented that the At-Large members of Council will hold a quarterly "Ask a Council Member" informational forum starting at 9:00 a.m. on March 12 at Lincoln Community Center.

There being on further business, Council adjourned at 7:32 p.m.

Clerk of Council

President of Council

