

March 30, 2020

MINUTES OF COUNCIL

A special session of Troy City Council was held Monday, March 30, 2020, at 3:45 p.m. in Council Chambers.

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

Presiding Officer: William Lutz President of Council

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

(In response to citizens who were present regarding Ordinance No. O-13-2020, Mr. Lutz advised that the Ordinance would be on the agenda for a fourth reading at the next meeting.)

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

READING AND SIGNING OF NOTICE OF SPECIAL MEETING OF THE CITY COUNCIL: The Clerk read the Notice of Special Meeting, that there will be a special meeting of the City Council of The City of Troy, Ohio, at the Council Chamber in said city, on Monday, the 30th day of March, 2020 at 3:45 p.m. for the purpose of holding an Executive Session; considering R-22-2020 (Authorize procedures under state of emergency, emergency legislation); R-23-2020 (cancel 4-6-2020 Council meeting, emergency legislation); R-24-2020 (participate in ODOT salt contract, emergency legislation); R-25-2020 (increase authorization for Parkson Screen Project, emergency legislation); R-26-2020 (defer loan payments to loan programs, emergency legislation); R-27-2020 (MOU with IAFF, emergency legislation); O-13-2020 (declare park parcel as surplus); O-21-2020 (Amend CO Chapter 717); O-22-2020 (establish Employee Creation Incentive Program, emergency legislation); and O-23-2020 (amend IAFF Salary Ordinance, emergency legislation), This meeting is called by Council President Lutz pursuant to Rule XXV of the Troy City Council Rules for procedure. (Original Notice attached to Original Minutes of Council.)

EXECUTIVE SESSION: A motion was made by Mr. Schilling, seconded by Mr. Phillips, that Council recess into Executive Session to:

- A. Confer with legal counsel regarding pending or imminent litigation, and
- B. Discussion of preparing for, conducting or reviewing negotiations or bargaining sessions and public employees concerning their compensation or other terms and conditions of their employment.

Motion passed by unanimous roll call vote. At 3:50 p.m. Council recessed into executive session.

At 4:40 p.m., a motion was made by Mr. Rozell, seconded by Mr. Schweser, to return to regular session. Motion passed by unanimous roll call vote.

MINUTES: The Clerk gave a summary of the minutes of the March 16, 2020, meeting of Troy City Council. There were no corrections or additions to these minutes. Upon motion of Mrs. Snee, seconded by Mr. Schweser, these minutes were approved by unanimous roll call vote.

COMMITTEE REPORTS:

Committee of the Whole: Mr. Lutz reported that to assure that governmental services continue to the fullest extent possible during the state of emergency that has been declared due to the COVID-19 pandemic, the Committee of the Whole recommends legislation be prepared authorizing certain procedures during the state of emergency, with the legislation presented as an emergency measure. The procedures include establishing remote meetings of Council, and City boards and commissions that would include remote access by the public so that contact is limited to assist in protecting the health and well-being of all involved. Committee of the Whole further recommended the approval of emergency legislation cancelling the April 6 meeting of Troy City Council. Report signed by Allen, Phillips, Rozell, Schilling, Schweser, Severt, Snee, Terwilliger and Twiss.

Buildings & Utilities Committee: Mr. Allen, Chairman, reported that as bids exceeded the \$100,000 authorized for the Rebuilding of the Parkson Screen Project at the Wastewater Treatment Plant, Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to enter into a contract for the rebuilding of Parkson Screen #2 at the Wastewater Treatment Plant at a cost not to exceed \$115,000. So that a contract with the low bidder can be executed, Committee supports emergency legislation. Report signed by Terwilliger, Twiss and Allen.

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

1. Committee recommends that legislation be prepared authorizing the City of Troy to participate in the ODOT cooperative purchasing program for the purchase of road salt for the winter of 2020-2021. Based on the April 24 date established by ODOT to be included in the ODOT program, Committee supports emergency legislation.
2. To help ease the burden placed on local businesses as a result of the national pandemic of COVID-19, Committee recommends legislation be prepared authorizing the City to offer to the 29 Small Business Development (SBD) and Community Development Block Grant (CDBG) loan holders a three-month deferral to no later than August 1, 2020 on loan payments of principal and interest with no compounded penalties, based on the borrower's request for a deferral. Committee supports emergency legislation so that the deferral process can commence without delay to assist the loan holders.
3. Committee recommends legislation be prepared to establish an Employee Creation Incentive Program to provide some rebate of City Income Tax payment to companies that move into Troy with a major new economic development project or companies already in Troy that establish a major economic development expansion, based on guidelines established by Council/approved by Council. This program is an economic development incentive that would provide an additional component in the decision making process for companies considering major investments/expansions in Troy. So that the program can be announced without delay to capitalize on potential development projects, Committee supports emergency legislation.

Reports signed by Phillips, Severt and Schweser.

Streets & Sidewalks Committee: Mr. Phillips, Chairman, reported that Committee recommends legislation be prepared amending Chapter 717 of the Codified Ordinances which covers provisions related to the use of public sidewalks in the downtown area, particularly outdoor furnishings. Committee noted that amendments would streamline the process and support the businesses by shortening the application process without changing the criteria Council has historically supported.

Report signed by Schilling, Snee and Philips.

Personnel Committee: Mr. Twiss, Chairman, gave an oral report that Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to execute a Memorandum of Understanding with the IAFF Local 1638 regarding the creation of a "Basic Firefighter" position and wage, staffing at Station 3, and lateral transfers.

CITIZEN COMMENTS ON AGENDA ITEMS: NONE

RESOLUTION NO. R-22-2020

A RESOLUTION AUTHORIZING CERTAIN EMERGENCY PROCEDURES NECESSARY FOR THE CONTINUED GOVERNANCE OF THE CITY DURING THE CURRENT STATE OF EMERGENCY 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. Twiss.

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-23-2020

RESOLUTION CANCELLING THE APRIL 6, 2020 MEETING OF TROY CITY COUNCIL 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. Schweser.

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-24-2020

RESOLUTION AUTHORIZING PARTICIPATION IN THE ODOT ROAD SALT CONTRACTS AWARDED IN 2020 AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-25-2020

RESOLUTION AMENDING RESOLUTION NUMBER R-7-2020, AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO A CONTRACT FOR THE REBUILDING OF THE PARKSON SCREEN #2 PROJECT AT THE CITY OF TROY WASTEWATER TREATMENT PLANT, INCREASING THE AUTHORIZED AMOUNT, 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. Twiss.

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-26-2020

RESOLUTION DEFERRING LOAN PAYMENTS RELATED TO CITY OF TROY, OHIO COMMUNITY DEVELOPMENT BLOCK GRANT AND SMALL BUSINESS DEVELOPMENT LOANS AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-27-2020

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO, TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) WITH LOCAL 1638 OF THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

ORDINANCE O-13-2020

ORDINANCE DECLARING MUNICIPALLY OWNED REAL PROPERTY AS NO LONGER NEEDED FOR MUNICIPAL PURPOSES AND AUTHORIZING THE SALE OF SUCH EXCESS PROPERTY

This Ordinance was given first title reading on March 2, 2020.
Given second title reading on March 16, 2020.
Given third title reading.

Discussion. Mrs. Snee asked if there was a date when the Recreation & Parks Committee would meet again on this subject. Mr. Schilling indicated that would be after the Park Board met and provided answers to questions of the Committee.

ORDINANCE NO. O-21-2020

AN ORDINANCE AMENDING CHAPTER 717, USE OF PUBLIC SIDEWALKS, OF THE CODIFIED ORDINANCES OF THE CITY OF TROY, OHIO

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-22-2020

AN ORDINANCE ESTABLISHING AN EMPLOYEE CREATION INCENTIVE PROGRAM IN THE CITY OF TROY, OHIO AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-23-2020

ORDINANCE AMENDING ORDINANCE NO. O-64-2018, FIXING SALARIES AND WAGES OF CERTAIN EMPLOYEES OF THE CITY OF TROY, OHIO AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

COMMENTS OF COUNCIL: Mr. Severt commented that he thought Council should have had the special meeting only to cover the ability to have remote meetings (R-22-2020) and then handled all other items by a remote meeting on April 6.

There being no further business, the meeting adjourned at 5:10 pm.