

May 3, 2021

MINUTES OF COUNCIL

A regular session of Troy City Council was held on Monday, May 3, 2021, at 7:00 p.m. at the Bravo Room of Hobart Arena.

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

(NOTE REGARDING APPOINTMENT OF JEFFREY G. WHIDDEN AS FIRST WARD COUNCIL MEMBER: On April 20, 2021, Zachary A. Allen, First Ward Council Member, announced his resignation effective immediately. On April 28, 2021, the Republican Central Committee announced the appointment of Jeffrey G. Whidden to fill the unexpired term of First Ward Council Member [term through December 31, 2021]. Just prior to the May 3 meeting of Council, the Director of Law administered the Oath of Office to Jeffrey G. Whidden.)

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
	John E. Frigge	City Auditor

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

COMMITTEE ASSIGNMENTS: Council President Lutz welcomed Mr. Whidden, announced that Mr. Whidden would be appointed to the committee positions that had been held by Mr. Allen: Chairman of the Buildings and Utilities Committee and member of the Community Partnerships Committee and Personnel Committee.

MINUTES: The Clerk gave a summary of the minutes of the April 19, 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:

Community & Economic Development Committee: Mrs. Snee, Chairman, reported regarding the rezoning Ordinances on Council's agenda: that taking into account all comments provided, and recognizing that the rezonings are only to provide that land within the City has an appropriate City zoning, and that a development plan has not been submitted for any parcel, Committee recommends that Ordinance Numbers O-21-2021, O-22-2021, O-23-2021, O-24-2021, O-25-2021, O-26-2021, O-27-2021, O-28-2021 be adopted, as recommended by the Troy Planning Commission, and based on the findings provided by City staff that:

- Each proposed rezoning is consistent with the intent and purposes of the City of Troy Zoning Code;
- Each proposed rezoning is consistent with the surrounding zoning districts;
- Each use is consistent with permitted uses in the zoning district of the Ordinance;
- Each proposed rezoning is consistent with the City of Troy Comprehensive Plan.

Report submitted by Rozell, Twiss and Snee.

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

- 1) The Troy Strawberry Festival, Inc. requested that the 2021 event be in the downtown area on June 4 and 5 known as the 2021 Troy Strawberry Jam. The event will be smaller than a typical Troy Strawberry Festival in both venue and vendors. The focus is on music and food/beverages, and allowing local non-profits to raise funds for community purposes while providing an opportunity for residents and visitors to come downtown to enjoy a variety of bands, support local businesses, and support the local non-profit organizations. This event would include the sale and consumption of beer within the event area. Committee recommends that legislation be prepared authorizing the Director of Public Service and Safety to enter into an agreement with the Troy Strawberry Festival, Inc., for the 2021 Troy Strawberry Jam; provide for the standard notwithstanding legislation; and authorize the sale of beer within the event area. Committee supports the legislation being presented as an emergency measure as the Troy Strawberry Festival, Inc. must submit an application for a F-2 permit to the Ohio Division of Liquor Control without delay.
- 2) Regarding the lease arrangement between the City and the Community Improvement Corporation of Troy, Ohio (CIC) regarding the lease of the Marina Building, Mr. Rozell reported that the first five-year term of the lease has expired; the Marina Building lessee has asked that the first of two five-year extensions be approved; the CIC has recommended approval of that extension, and Committee recommends that legislation be prepared authorizing the Director of Public Service and Safety to enter into an amended and restated lease of the Marina Building and surrounding property, not including Treasure Island. Committee supports the legislation being an emergency measure so that the amended and restated lease can be in effect as soon as possible.

COMMENTS ON AGENDA ITEMS: NONE

ORDINANCE NO. O-21-2021

AN ORDINANCE CHANGING THE ZONING OF ANNEXED PARCELS ON RIVERSIDE DRIVE, TROY, OHIO FROM CITY ADMINISTERED COUNTY ZONING TO THE CITY ZONING OF R-4, SINGLE-FAMILY RESIDENTIAL DISTRICT

This Ordinance was given first title reading on April 5, 2021.
Given public hearing and second title reading on April 19, 2021.
Given third title reading.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-22-2021

AN ORDINANCE CHANGING THE ZONING OF ANNEXED PARCEL NUMBER D08-106896, INLOT 11357, FROM CITY ADMINISTERED COUNTY ZONING OF A-2, GENERAL AGRICULTURAL DISTRICT, TO THE CITY ZONING OF R-5, SINGLE-FAMILY RESIDENTIAL DISTRICT

This Ordinance was given first title reading on April 5, 2021.
Given public hearing and second title reading on April 19, 2021.
Given third title reading.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-23-2021

AN ORDINANCE CHANGING THE ZONING OF ANNEXED PARCEL NUMBER D08-106898, INLOT 11364, FROM CITY ADMINISTERED COUNTY ZONING OF A-2, GENERAL AGRICULTURAL DISTRICT, TO THE CITY ZONING OF R-4, SINGLE-FAMILY RESIDENTIAL DISTRICT

This Ordinance was given first title reading on April 5, 2021.
Given public hearing and second title reading on April 19, 2021.
Given third title reading.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-24-2021

AN ORDINANCE CHANGING THE ZONING OF ANNEXED PARCEL NUMBER D08-106650, INLOT 10899, FROM CITY ADMINISTERED COUNTY ZONING OF R-1AAA, ONE-FAMILY RESIDENTIAL DISTRICT, TO THE CITY ZONING OF R-3-B, SINGLE-FAMILY RESIDENTIAL DISTRICT

This Ordinance was given first title reading on April 5, 2021.
Given public hearing and second title reading on April 19, 2021.
Given third title reading.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-25-2021

AN ORDINANCE CHANGING THE ZONING OF ANNEXED PARCEL NUMBER D08-106904, INLOT 11365, AND ANNEXED PARCEL NUMBER D08-106906, INLOT 11366, FROM CITY ADMINISTERED COUNTY ZONING OF R-1AAA, ONE-FAMILY RESIDENTIAL DISTRICT, TO THE CITY ZONING OF R-4, SINGLE-FAMILY RESIDENTIAL DISTRICT

This Ordinance was given first title reading on April 5, 2021.
Given public hearing and second title reading on April 19, 2021.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-26-2021

AN ORDINANCE CHANGING THE ZONING OF ANNEXED PARCEL NUMBER D08-250735, INLOT 11367, FROM CITY ADMINISTERED COUNTY ZONING OF A-2, GENERAL AGRICULTURAL DISTRICT, TO THE CITY ZONING OF R-4, SINGLE-FAMILY RESIDENTIAL DISTRICT

This Ordinance was given first title reading on April 5, 2021.

Given public hearing and second title reading on April 19, 2021.

Given third title reading.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-27-2021

AN ORDINANCE CHANGING THE ZONING OF ANNEXED PARCEL NUMBERS K30-042400 AND K30-042407, FROM CITY ADMINISTERED COUNTY ZONING OF A-2, GENERAL AGRICULTURAL DISTRICT, TO THE CITY ZONING OF R-3-B, SINGLE-FAMILY RESIDENTIAL DISTRICT

This Ordinance was given first title reading on April 5, 2021.

Given public hearing and second title reading on April 19, 2021.

Given third title reading.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-28-2021

AN ORDINANCE CHANGING THE ZONING OF ANNEXED PARCEL NUMBER K31-250010, FROM CITY ADMINISTERED COUNTY ZONING TO THE CITY ZONING OF WO, WELLHEAD OPERATION DISTRICT

This Ordinance was given first title reading on April 5, 2021.

Given public hearing and second title reading on April 19, 2021.

Given third title reading.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-29-2021

ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY TO ENTER INTO AN AMENDED AND RESTATED LEASE WITH THE COMMUNITY IMPROVEMENT CORPORATION OF TROY, OHIO, REGARDING THE LEASE OF THE MARINA BUILDING AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-30-2021

ORDINANCE AUTHORIZING THE USE OF PUBLIC AREAS FOR THE 2021 TROY STRAWBERRY JAM; NOTWITHSTANDING CONFLICTING PROVISIONS OF THE TROY CODIFIED ORDINANCES, AND FURTHER APPROVING THE USE OF AN AREA FOR THE SALE OF BEER SUBJECT TO THE ISSUANCE OF PROPER PERMITS BY THE STATE OF OHIO AND PROCUREMENT OF LIQUOR LIABILITY INSURANCE; AND AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO AN AGREEMENT WITH THE TROY STRAWBERRY FESTIVAL, INC. THEREFOR, AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: Twiss. (Mr. Twiss stated he supported the non-profit organizations and the Strawberry Jam, but he did not support the event including the sale of alcohol.)

ORDINANCE ADOPTED

COMMENTS OF THE MAYOR:

Mayor Oda noted that May 4 is an election day.

COMMENTS OF MEMBERS OF COUNCIL:

-Mr. Severt announced that the three at large members of Council will again provide an opportunity to meet with citizens on May 15, at the Bravo Room of Hobart Arena, from 9-10 a.m.

-Mr. Schilling inquired about the painting touch-up of the mural on the wall at Prouty Plaza, asked if the City owns the wall; and asked if the City has done a financial feasibility study regarding the value of declaring Prouty Plaza as surplus and selling the land. Mr. Titterington advised that the paint is to be touched up this year; the City does not own the wall but receives permission of the owner of the building to do the work; the most recent downtown study did not include a financial study of this land; however, a focus group involved in the study indicated the land should be retained as green space; and the Park Board would need to provide a recommendation about declaring the land as surplus.

Mayor Oda and Mr. Severt commented that they would object to any effort to sell Prouty Plaza.

There being no further business, the meeting adjourned at 7:32 p.m.

Clerk of Council

President of Council