

MINUTES OF COUNCIL

A regular session of Troy City Council was held remotely on Monday, June 1, 2020, at 7:00 pm via Zoom. (Note R-22-2020 allowed for remote meetings to be held during the state of emergency due to the COVID-19 Pandemic.)

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

Presiding Officer: William Lutz President of Council

Others 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 Phillips, followed by the Pledge of Allegiance.

PUBLIC HEARING:

At 7:02 p.m. Mr. Lutz declared open a public hearing on Ordinance No. O-28-2020, the rezoning of Parcel No. D08-057920 (430 Kirk Lane) from the zoning classification of R-4, Single-family Residential District, to OC-1, Office Commercial District.

-Mr. Lutz noted that an email was received from Andrew Allen, 425 Miami Street, opposing the rezoning, and asking about the parking plan for 430 Kirk Lane.

As no other comments were received, at 7:03 p.m., Mr. Lutz declared this public hearing closed.

MINUTES: The Clerk gave a summary of the minutes of the May 18, 2020 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:

Buildings & Utilities Committee: Mr. Allen, Chairman, reported as follows:

- 1) Committee recommends legislation be prepared authorizing the Recreation Board to advertise for bids and enter into a contract for the replacement of the east side roof of the Hobart Arena at a cost not exceed \$120,000.
- 2) Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to advertise for bids and enter into a contract for the demolition of City-owned structures at 212 S. Mulberry Street and 110 E. Canal Street at a cost not to exceed \$350,000. Committee noted that this the property on which new Fire Station #1 will be constructed.
- 3) Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to enter into a professional services agreement with the firm of Hazen and Sawyer of Cincinnati, Ohio for the design of the Wastewater Treatment Plant Blower Replacement Project at a cost not to exceed \$222,000.

Reports submitted by Terwilliger, Twiss and Allen.

Community & Economic Development Committee: Mrs. Snee, Chairman, reported that Committee recommends legislation be prepared regarding applications for Community Development Block Grant Funds:

-\$150,000 of PY 2020 CDBG Community Development Allocation Funds for:

Amount	Project
\$ 50,000	Madison Lift Station Repair
\$ 40,000	Miami County Family Abuse Shelter – Franklin House Roof Repair
\$ 30,000	Sidewalk Street Corner Accessibility Ramp Installations
\$ 3,000	Fair Housing Program
<u>\$ 27,000</u>	General Administration
\$150,000	Total

-\$500,000 of CDBG Critical Infrastructure Program Funds for the Madison Street Lift Station Repair Project.

As CDBG Applications must be filed with the Ohio Development Services Agency by June 17, Committee supports emergency legislation for both applications.

Report signed by Rozell, Twiss and Snee.

Community Partnerships Committee: Mr. Rozell, Chairman, reported that Committee recommends legislation be prepared authorizing an amended Lease between the City and the Community Improvement Corporation (CIC) regarding the lease of the Lincoln Community Center (LCC) Facility to include the property at 124 Ash Street (which is being transferred to City ownership based on Ordinance No. O-24-2020) and to clarify maintenance responsibilities of the LCC and the City. In that this is related to the LCC expansion project, currently underway, Committee supports emergency legislation so that the project proceeds on schedule. Report submitted by Allen, Schweser and Rozell.

Streets & Sidewalks Committee: Mr. Phillips, Chairman, reported that Committee recommends legislation be prepared accepting the recommendation of the Troy Planning Commission to approve the vacation of a 14' wide unimproved alley west of 124 and 130 ½ Ash Street, as petitioned by the abutting property owners – Lincoln Community Center (LCC) and the City. In that this is related to the LCC expansion project, currently underway, Committee supports emergency legislation so that the project proceeds on schedule. Report submitted by Schilling, Snee and Phillips.

CITIZEN COMMENTS ON AGENDA ITEMS: No comments by e-mail had been received. (Note: email comments are to be received by noon the day of the meeting.)

RESOLUTION NO. R-34-2020

RESOLUTION AUTHORIZING THE RECREATION BOARD OF THE CITY OF TROY, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE REPLACEMENT OF THE EAST SIDE ROOF OF THE HOBART ARENA

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-35-2020

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE DEMOLITION OF CITY-OWNED STRUCTURES

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-36-2020

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL SERVICES WITH HAZEN AND SAWYER OF CINCINNATI, OHIO TO PROVIDE DESIGN SERVICES FOR THE WASTEWATER TREATMENT PLANT BLOWER REPLACEMENT PROJECT

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-37-2020

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO FILE AN APPLICATION FOR THE USE OF PY 2020 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS 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, Schweser, Snee, Phillips, Severt, Schilling, Terwilliger, Allen and Rozell.

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-38-2020

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO FILE AN APPLICATION FOR THE USE OF PY 2020 COMMUNITY DEVELOPMENT BLOCK GRANT CRITICAL INFRASTRUCTURE PROGRAM FUNDS FOR THE MADISON STREET LIFT STATION REPAIR PROJECT 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. Severt.

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

No: None.

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

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

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 on March 30, 2020.

Given fourth title reading on April 20, 2020

Given fifth title reading on May 4, 2020.

Given sixth title reading on May 18, 2020.

Given seventh title reading.

Mr. Lutz and Law Director Kerber confirmed that this Ordinance requires the affirmative vote of six members for approval.

Discussion.

Mr. Severt as for an update regarding the requested policy regarding sale of surplus property, the investigation, and the survey of park property for encroachments. Mr. Titterington commented that a draft policy will be considered by the Board of Park Commissioners at their meeting of June 2; the investigation is complete and will be presented to the Board as well on June 2; and the survey of other encroachments onto park property is also nearing completion with a few encroachments found.

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

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

No: Schilling.

ORDINANCE ADOPTED

ORDINANCE NO. O-28-2020

AN ORDINANCE CHANGING THE ZONING OF PARCEL NUMBER D08-057920 IN THE CITY OF TROY, OHIO FROM THE ZONING CLASSIFICATION OF R-4, SINGLE-FAMILY RESIDENTIAL DISTRICT, TO OC-1, OFFICE COMMERCIAL DISTRICT

This Ordinance was given first title reading on May 18, 2020.

Given Public Hearing and second title reading.

## ORDINANCE NO. O-29-2020

AN ORDINANCE VACATING A PORTION OF AN UNIMPROVED 14' ALLEY LOCATED WEST OF 124 ASH STREET AND 130 ½ ASH STREET 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: Schilling, Terwilliger, Allen, Rozell, Twiss, Schweser, Snee, Phillips and Severt.

No: None.

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

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

No: None.

ORDINANCE ADOPTED

## ORDINANCE NO. O-30-2020

ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO AN AMENDED LEASE WITH THE COMMUNITY IMPROVEMENT CORPORATION OF TROY, OHIO REGARDING LEASE OF THE LINCOLN COMMUNITY CENTER FACILITY, AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

## ORDINANCE NO. O-31-2020

AN ORDINANCE CHANGING THE ZONING OF PARCEL NUMBERS D08-026290 AND D08-026300 IN THE CITY OF TROY, OHIO FROM THE ZONING CLASSIFICATION OF R-6, TWO-FAMILY RESIDENTIAL DISTRICT, TO OC-1, OFFICE COMMERCIAL DISTRICT

This Ordinance was given first title reading.

COMMENTS OF THE MAYOR: The Mayor commented:

-While she is disappointed about how the City got to this point regarding selling a small parcel on Archer Park, she believes the City is well on the way to a procedure to address future request to purchase a piece of City property.

-As part of the future improvements of West Main Street using safety grant funds, there will be two pilot programs established regarding reverse angle parking.

COMMENTS OF THE DIRECTOR OF PUBLIC SERVICE AND SAFETY: Mr. Titterington commented:

-With businesses starting to reopen, the City will be starting to again enforce parking Ordinances.

-Anticipating further openings following COVID-19, working with Miami County Public Health and social distancing requirements, the City is working on the following:

- o June 26 concert at Treasure Island Park
- o July 3 concert and event in the downtown area
- o July 4 parade, concert at Treasure Island Park, and fireworks.

-Staff continues to look into the possibility of a grant program to assist citizens with delinquent City utility bills, while there are still a number of delinquent bills the number is starting to trend down, and shutoff of water based on delinquent bills has not been reinstated.

COMMENTS OF COUNCIL PRESIDENT:

-Mr. Lutz stated he would be absent from the June 15 meeting.

-Regarding when Council may return to in-person meetings, Mr. Lutz indicated that would not happen prior to the July 6 meeting based on public hearings that have been advertised with information about attending a Zoom (remote) meeting.

COMMENTS OF COUNCIL MEMBERS: Mr. Severt asked how citizens are to make comments regarding the reverse angle parking. Mr. Titterington advised that the City will accept communications by calls or email, and will have a form on the City's website for submitting comments. Mr. Severt commented that it is important for citizens to express their opinion about the parking plan. Mr. Titterington stated his concurrence, as all comments will be shared with ODOT.

There being no further business, the meeting adjourned at 7:50 pm.

---

Clerk of Council

---

President of Council

