

July 20, 2020

MINUTES OF COUNCIL

A regular session of Troy City Council was held remotely on Monday, July 20, 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: Phillips, Rozell, Schilling, Severt, Snee, Terwilliger and Twiss.

Upon motion of Mr. Phillips, seconded by Mr. Twiss, Mr. Allen was excused from this meeting by unanimous roll call vote.

Upon motion of Mr. Phillips, seconded by Mrs. Snee, Mr. Schweser was excused from this meeting by unanimous roll call vote.

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

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

MINUTES: The Clerk gave a summary of the minutes of the July 6, 2020 meeting of Troy City Council. There were no corrections or additions to these minutes. Upon motion of Mr. Phillips, seconded by Mr. Twiss, these minutes were approved by unanimous roll call vote.

COMMITTEE REPORTS:

Committee of the Whole: Mr. Lutz, reported that Council, meeting remotely as a Committee of the Whole, recommends that legislation be prepared amending CO Section 111.01 to add a provision allowing for an alternate location to hold public meetings during a state of emergency declared for the City of Troy, Ohio, subject to public notice. So that Council can commence meeting in person on August 3, emergency legislation was supported.

Report submitted by all members of Council.

Buildings & Utilities Committee: Mr. Terwilliger reported:

- 1) Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to enter into a professional services agreement with Strand Associates of Cincinnati, Ohio for the design of the Kidder Ditch Drainage Study and Improvements Project at a cost not to exceed \$379,900.
- 2) Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to execute an amendment to the agreement for electric generation and transmission supply services for City facilities to extend the agreement to May, 2024. Committee supports emergency legislation to accomplish the extension.

Report submitted by Terwilliger, Twiss and Allen.

Community & Economic Development Committee: Mrs. Snee, Chairman, reported that Committee recommends Ordinance No. O-34-2020, rezoning of Parcel D08-106648, (1375 S. Union Street) from I-2 to M-3 be adopted.

Report submitted by Rozell, Twiss and Snee.

Recreation & Parks Committee: Mr. Schilling, Chairman, reported that Committee supports the recommendations of the Board of Park Commissioners and recommends that legislation be prepared declaring as surplus and serving no public purpose Waco Park (Inlot 9334, Parcel No. D08-250353; Inlot 9335, Parcel No. D08-250354) and the three-sided parcel (approximately 73'x81'x38') of Archer Park to the rear of 700 Governors Road, and authorizing the Director of Public Service and Safety to offer such parcels for sale. It was noted that legislation regarding the Archer Park parcel cannot be presented until a legal description and plat are prepared.

Report submitted by Phillips, Terwilliger and Schilling.

Streets & Sidewalks Committee: Mr. Phillips, Chairman, reported that Committee recommends legislation be prepared to consenting to an ODOT project that include the maintenance of a culvert under I-75 within Troy's

Corporate Boundary. Based on the format provided by ODOT, Committee noted this would be emergency legislation.

Report submitted by Schilling, Snee and Phillips.

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Personnel Committee: Mr. Twiss, Chairman, gave the oral report that the Committee supports the request of the Mayor regarding reappointments to the City Beautification Committee. A motion was made by Mr. Twiss, seconded by Mr. Phillips, to approve the following reappointments to the City Beautification Committee for new terms commencing July 1, 2020 and ending June 20, 2022: Gareth Johnston, Pam Dalton, Deborah Kappers, Karol McCarthy, and Bill Miller. Motion passed by unanimous roll call vote.

RESOLUTION NO. R-44-2020

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL SERVICES WITH STRAND ASSOCIATES, INC. OF CINCINNATI, OHIO, TO PROVIDE DESIGN SERVICES FOR THE KIDDER DITCH IMPROVEMENT PROJECT

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-45-2020

A RESOLUTION AUTHORIZING CONSENT AND COOPERATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE MAINTENANCE OF A CULVERT UNDER INTERSTATE 75 WITHIN THE RIGHT-OF-WAY OF THE CITY OF TROY, OHIO 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: Schilling, Rozell, Terwilliger, Snee, Twiss, Severt and Phillips.

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-46-2020

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO, TO ENTER INTO A GENERATION SUPPLY AGREEMENT AMENDMENT FOR ELECTRIC GENERATION SUPPLY FOR CITY FACILITIES 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: Terwilliger, Snee, Twiss, Severt, Phillips, Schilling and Rozell.

No: None.

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

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

No: None.

RESOLUTION ADOPTED

ORDINANCE NO. O-34-2020

AN ORDINANCE CHANGING THE ZONING OF PARCEL NUMBER D08-106648 IN THE CITY OF TROY, OHIO FROM THE ZONING CLASSIFICATION OF I-2, GENERAL INDUSTRIAL DISTRICT, TO THE CITY ZONING OF M-3, GENERAL INDUSTRIAL DISTRICT

This Ordinance was given first title reading on June 15, 2020.

Given Public Hearing and second title reading on July 6, 2020.

Given third title reading.

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

Yes: Twiss, Severt, Phillips, Schweser, Rozell, Terwilliger and Snee.
No: None.

ORDINANCE ADOPTED

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ORDINANCE NO. O-35-2020

AN ORDINANCE AMENDING SECTION 111.01 OF THE CODIFIED ORDINANCES OF THE CITY OF TROY, OHIO REGARDING MEETING TIME AND PLACE OF CITY COUNCIL MEETINGS, 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. Schilling.

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-36-2020

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.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-37-2020

AN ORDINANCE CHANGING THE ZONING OF INLOT 11368 IN THE CITY OF TROY, OHIO FROM THE MIAMI COUNTY ZONING CLASSIFICATION OF A-2, GENERAL AGRICULTURAL DISTRICT, TO A CITY OF TROY PLANNED DEVELOPMENT – RESIDENTIAL (PD-R)

This Ordinance was given first title reading.

ORDINANCE NO. O-38-2020

AN ORDINANCE CREATING A DESIGNATED OUTDOOR REFRESHMENT AREA KNOWN AS THE DOWNTOWN TROY DESIGNATED OUTDOOR REFRESHMENT AREA, AND ENACTING REGULATIONS

This Ordinance was given first title reading.

COMMENTS OF THE MAYOR: Mayor Oda stated her appreciation for the efforts of the City Beautification Committee. She also commented that the second meeting of the Human Relations Commission will be held July 23, at 6:30 p.m.

COMMENTS OF THE DIRECTOR OF PUBLIC SERVICE AND SAFETY: Mr. Titterington commented that Council received a copy of the Designated Outdoor Refreshment Area (DORA), which is the exhibit for Ordinance No. O-37-2020, noting that the area of the DORA is about half the size as presented at the Council Committee session, which will also require less signage and refuse containers. Mr. Titterington noted that the boundary of regulations of a DORA can be amended by Council.

COMMENTS OF COUNCIL PRESIDENT:

-Mr. Lutz read email comments submitted by three citizens (Kelly Snyder, Barb Parrock and Marcy Younce) stating their concerns about establishing a DORA.

-Mr. Lutz noted that the August 3 meeting of Council will be held at the Bravo Room of the Hobart Arena to meet the social distancing associated with COVID-19, as Council will be meeting in person.

COMMENTS OF MEMBERS OF COUNCIL:

-Mr. Phillips read an email from Rosemary Jones stating concern about a DORA.

-In response to Mr. Severt, it was stated that a representative of Troy Main Street, Inc., the entity that asked the City to establish a DORA, will be present at the August 3 Public Hearing to provide input.

There being no further business, the meeting adjourned at 7:37 p.m.

Clerk of Council

President of Council