

MINUTES OF COUNCIL

A regular session of Troy City Council was held on Monday, November 15, 2021, at 7:00 p.m. in Council Chambers, City Hall.

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

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

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 President Lutz, followed by the Pledge of Allegiance.

MINUTES: The Clerk gave a summary of the minutes of the November 1, 2021 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: Mrs. Snee, Chairman, reported as follows:

1. Committee had considered the request of Council President Lutz to establish a vacant property registration program for commercial and industrial buildings. Committee member Twiss and Chairman Snee indicated that they did not find it warranted to recommend vacant property registration program legislation, based on the staff report. Committee member Rozell commented that he could see further review of such a program, but not as a reaction to the recent demolition application presented to the Planning Commission. Committee does not recommend legislation. At the Direction of the Committee, staff will research and analyze whether there is a vacant building issue and will provide a report outlining any alternative programs for review and discussion in early 2022.
2. Committee has considered recommending a moratorium on the approval of new certificates for demolition in the downtown area. Committee recommends that legislation be prepared to establish a 180 day moratorium on the issuance of new certificates of appropriateness to allow for the demolition or removal of a historic or contributing building, structure, or architectural feature within the City of Troy Historic Preservation Overlay District boundaries, with the exception of the demolition of a building or structure based on a finding by the Miami County Building Official or the Fire Chief of the City of Troy, Ohio that requires the immediate demolition due to an imminent safety concern. The Committee further supports emergency legislation so that the moratorium commences without delay.
3. Committee has considered recommending a moratorium on approval of new surface parking lot construction for the downtown area. Committee noted that there is a series of studies that have been done regarding parking and parking lots in the Historic Preservation Overlay District, and time will be needed for the Committee and Council to adequately review those studies and determine if any further action is warranted. Committee recommended legislation be prepared to establish a 90 day moratorium on the construction of new surface parking lots in the Historic Preservation Overlay District where such parking lot would be considered the principal use on that property and not accessory to a different principal use. The Committee further supports emergency legislation so that the moratorium commences without delay.
4. Committee recommends that legislation be prepared to provide for the three legislative items (statement of services, buffering requirements, consent) required by state law related to the Canferelli Annexation of 2.0 acres on Washington Road from Concord Township. To meet the timeline of the state law for an expedited annexation to approve these items, the Committee supports emergency legislation.

Reports submitted by Rozell, Twiss and Snee.

Personnel Committee: Mr. Twiss, Chairman, reported that Committee recommends that legislation be prepared to amended the wage ordinance for seasonal and part-time positions, including to reflect the impact of the new minimum wage that is effective January 1, 2022.

Report submitted by Severt, Whidden and Twiss.

Safety & Health Committee: Mr. Terwilliger, Chairman, reported that Committee recommends legislation be prepared to authorize the 2022 funding to Miami County Public Health in an amount not to exceed \$365,873.84 (decrease of 4.5% from the 2021 funding).

Motion submitted by Rozell, Schilling and Terwilliger.

Streets & Sidewalks Committee: Mr. Schilling reported that Committee recommends 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 Duct Bank Improvements Project at a cost not to exceed \$700,000.
Report submitted by Snee and Schilling.

COMMENTS ON AGENDA ITEMS:

Brad Boehriger, 105 Creswood Drive, regarding Ordinance No. O-64-2021 commented that it is his opinion that any moratorium on demolitions should include the structure at 112-116 W. Main Street.

RESOLUTION NO. R-53-2021

RESOLUTION ESTABLISHING MUNICIPAL SERVICES FOR CERTAIN TERRITORY CONTAINING 2.0 ACRES, MORE OR LESS, IN CONCORD TOWNSHIP, PROPOSED TO BE ANNEXED TO THE CITY OF TROY, OHIO, AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-54-2021

RESOLUTION ESTABLISHING BUFFER REQUIREMENTS FOR CERTAIN TERRITORY CONTAINING 2.0 ACRES, MORE OR LESS, IN CONCORD TOWNSHIP, PROPOSED TO BE ANNEXED TO THE CITY OF TROY, OHIO, AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-55-2021

RESOLUTION CONSENTING TO THE ANNEXATION OF CERTAIN TERRITORY CONTAINING 2.0 ACRES, MORE OR LESS, IN CONCORD TOWNSHIP, TO THE CITY OF TROY, OHIO, AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-56-2021

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO AN AGREEMENT WITH THE MIAMI COUNTY GENERAL HEALTH DISTRICT FOR HEALTH SERVICES

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-57-2021

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 WEST MAIN STREET DUCT BANK IMPROVEMENTS PROJECT

This Resolution was given first title reading.

Mr. Whidden moved for suspension of three readings. Motion seconded by Mr. Schweser.

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

ORDINANCE NO. O-62-2021

ORDINANCE REPEALING ORDINANCE NO. O-53-2020 AND ORDINANCE NO. O-17-2021, AND ENACTING NEW HOURLY RATES FOR VARIOUS EMPLOYEES OF THE CITY OF TROY, OHIO

This Ordinance was given first title reading.

Mr. Twiss moved for suspension of three readings. Motion seconded by Mr. Severt.

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-63-2021

ORDINANCE IMPOSING MORATORIUM FOR A PERIOD OF ONE HUNDRED AND EIGHTY DAYS ON THE GRANTING OF CERTIFICATES OF APPROPRIATENESS FOR THE DEMOLITION OR REMOVAL OF A BUILDING, STRUCTURE, OR ARCHITECTURAL FEATURE WITHIN THE CITY OF TROY HISTORIC PRESERVATION OVERLAY DISTRICT, AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-64-2021

ORDINANCE IMPOSING A MORATORIUM FOR A PERIOD OF NINETY DAYS ON THE GRANTING OF APPLICATIONS FOR NEW SURFACE PARKING LOTS WHERE SAID PARKING LOT WOULD BE CONSIDERED THE PRINCIPAL USE ON THAT PROPERTY AND NOT ACCESSORY TO A DIFFERENT PRINCIPAL USE, AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

COMMENTS OF THE DIRECTOR OF PUBLIC SERVICE AND SAFETY:

Mr. Titterington commented:

-At the prior Council meeting, Council approved the appropriation of some properties along West Main Street for easements; however, settlements were reached with all the property owners, so no further action will be required.

- On November 22, at 6:00 p.m. the Finance Committee will meet for the budget workshop with all members of Council.
- City offices will be closed November 25 and 26 for the Thanksgiving Holiday, and the annual Christmas Tree Lighting in the Public Square will be held at approximately 7:00 p.m. on November 26.

COMMENTS OF MEMBERS OF COUNCIL:

- in response to Mr. Severt, it was stated that November 26 may be the first date to implement the DORA.
- Mr. Rozell complimented the Noon Optimist Club on their project of placing the American Flag out on certain patriotic holidays

EXECUTIVE SESSION:

- A motion was made by Mr. Rozell, seconded by Mr. Schweser, to recess into Executive Session for discussion of preparing for, conducting or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and condition of their employment. MOTION PASSED, UNANIMOUS VOTE
- At 7:32 p.m. Council recessed into Executive Session.
- A motion was made by made by Mr. Rozell, seconded by Mr. Schilling, to return to regular session. MOTION PASSED, UNANIMOUS VOTE

At 7:48 p.m. Council returned to regular session, made no further comment, and adjourned.

Clerk of Council

President of Council

