

MINUTES OF COUNCIL

A regular session of Troy City Council was held on Monday, December 20, 2021, at 7:00 p.m. in Council Chambers, City Hall.

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

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

Upon motion of Mr. Phillips seconded by Mr. Schilling, Mr. Whidden 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 Member Rozell, followed by the Pledge of Allegiance.

MINUTES: The Clerk gave a summary of the minutes of the December 6, 2021 meeting of Troy City Council. There were no corrections or additions to these minutes. Upon motion of Mr. Rozell, seconded by Mr. Schilling, these minutes were approved by unanimous roll call vote.

COMMITTEE REPORTS:

Community & Economic Development Committee: Mr. Rozell reported that Committee recommends legislation be prepared to approve the amended Subdivision Regulations as reviewed and recommended by the Troy Planning Commission.

Report submitted by Rozell, Twiss and Snee.

Discussion. Mr. Schilling asked about who wrote the Subdivision Regulations, and questioned Section 1111.01(e) which references "morals" in the wording and asked if the City is trying to regulate the morals of the residents of a subdivision. Staff advised that the Regulations have included the wording referred to by Mr. Schilling, that it was not an addition, and Mr. Kerber commented that the wording is standard in legislation as aspirational type wording to explain why the legislation is being enacted, similar to the "health, safety and welfare" wording commonly used.

Finance Committee: Mr. Schweser, Chairman, reported that Committee recommends legislation be prepared approving the application of ConAgra Foods Packaged Foods, LLC to participate in the Employee Creation Incentive Plan (ECIP) as an expansion project pursuant to Ordinance No. O-22-2020. The company's expansion project is a \$61MM investment and will create 100 jobs. Under the program, the City would rebate ConAgra approximately \$18,000 annually for six years of new income tax of approximately \$74,000. So that the expansion project can proceed, Committee supports emergency legislation.

Report submitted by Phillips, Severt and Schweser.

Law & Ordinance Committee: Mr. Severt, Chairman, gave an oral report that notice has been received of the application for a new D2 liquor permit for Bob Evans Restaurants LLC, 1749 W. Main Street.

Personnel Committee: Mr. Twiss, Chairman, reported on the following requests for Board appointments and reappointments:

Income Tax Board of Review by Council as recommended by the President of Council:

- Reappointment of Edward Westmeyer for a new two-year term that would end December 31, 2023
- Appointment of Justin A. Coby to fill the unexpired term of the late Kent Kazmaier, through December 31, 2022

A motion was made by Mr. Twiss, seconded by Mr. Phillips, to approve the reappointment of Ed Westmeyer and the appointment of Mr. Coby to the Income Tax Board of Review as recommended. Motion passed by unanimous roll call vote.

Economic Development Revolving Loan Fund Loan Review Committee requested by Mayor Oda:

- Reappointment of Joseph Graves for a new four-year term that would end December 31, 2025

A motion was made by Mr. Twiss, seconded by Mr. Rozell, to approve the reappointment of Joseph Graves to the Economic Development Revolving Loan Fund Loan Review Committee as requested. Motion passed by unanimous roll call vote.

Community Improvement Committee requested by Mayor Oda:

- Reappointment of the following for new one-year terms that would end December 31, 2022: William E. Lukens, Bradley Bixler, Joseph Graves, Edward Westmeyer, Kathy Vukovic, and Gary Fisher.

A motion was made by Mr. Twiss, seconded by Mr. Schweser, to approve the reappointments of William E. Lukens, Bradley Bixler, Joseph Graves, Edward Westmeyer, Kathy Vukovic, and Gary Fisher to the Community Improvement Corporation as requested. Motion passed by unanimous roll call vote.

Board of Zoning Appeals requested by Mayor Oda:

- Reappointment of the following for new five-year terms that would end December 31, 2026: Martha A. Baker and Anthony Smith.

A motion was made by Mr. Twiss, seconded by Mr. Schweser, to approve the reappointments of Martha A. Baker and Anthony Smith to the Board of Zoning Appeals as requested. Motion passed by unanimous roll call vote.

Human Relations Commission requested by Mayor Oda:

- Reappointment of Kane Feltner to a new three-year term that would end December 31, 2024.

A motion was made by Mr. Twiss, seconded by Mr. Schweser, to approve the reappointment of Kane Feltner to the Human Relations Commission as requested. Motion passed by unanimous roll call vote.

COMMENTS ON AGENDA ITEMS: None.

RESOLUTIONS: NONE.

ORDINANCE NO. O-72-2021

AN ORDINANCE APPROVING THE EXPANSION PROJECT AGREEMENT FILED BY CONAGRA FOODS PACKAGED FOODS, LLC FOR THE EMPLOYEE CREATION INCENTIVE PROGRAM IN THE CITY OF TROY, OHIO AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-73-2021

AN ORDINANCE REPEALING TITLE THREE, PART ELEVEN, SUBDIVISION REGULATIONS, OF THE CODIFIED ORDINANCES OF THE CITY OF TROY, OHIO, AND ENACTING NEW TITLE THREE, PART ELEVEN, SUBDIVISION REGULATIONS, OF THE CODIFIED ORDINANCES OF THE CITY OF TROY, OHIO

This Ordinance was given first title reading.

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

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

No: Schilling.

ORDINANCE FAILED SUSPENSION

Motion to Amend:

A motion was made by Mr. Schilling to amend Ordinance No. O-72-2021 to remove the word "morals" from Section 1111.01 (e) as he does not think the City should regulate morals.

MOTION FAILED FOR LACK OF SECOND

ORDINANCE NO. O-74-2021

AN ORDINANCE ESTABLISHING A ROBINSON RESERVE AT DUKE PARK FUND AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

COMMENTS OF THE MAYOR: Mayor Oda provided Christmas greetings.

COMMENTS OF THE DIRECTOR OF PUBLIC SERVICE AND SAFETY:

Mr. Titterington commented that refuse collection will be on schedule the week of the Christmas and New Year's holidays; however, City offices are closed December 23, 24 and 31.

Mr. Titterington thanked Mr. Schweser and Mr. Terwilliger for their service on Council and to the community.

COMMENTS OF MEMBERS OF COUNCIL:

-Mr. Phillips thanked Mr. Schweser and Mr. Terwilliger for their service on Council, commenting that he has appreciated their comments and insight, and thanked them for their friendship.

-Mr. Schweser and Mr. Terwilliger expressed appreciation for the work of the Council members, Council Presidents, elected officials and administration members with whom they had worked while serving on Council, and expressed their appreciation for the citizens of the community. Mr. Schweser also commented about Troy being an outstanding community with so many services and amenities provided at a lesser cost than over two-thirds of the communities in Ohio.

AUDIENCE COMMENTS:

-Doug Jackson, 219 S. Ridge Avenue, commented that he had recently met with members of the City administration and staff regarding the trees that had been removed on one side of Ridge Avenue for the placement of new electric lines associated with the West Main Street Improvement Project. He commented that the residents understood the loss of the trees was needed for the progress of the project; however, Ridge Avenue is known to be a historic, charming and tree lined street. He asked that moving forward, Council advocate for what was discussed at that meeting: fewest number of new light poles as possible (recognizing this may not be a City decision, but asking that the City try to influence the number); that poles be placed in existing pole locations to the extent possible and not new locations; that the City try to influence the style of pole options for one that would work with the history and charm of the street; and that future communications include all residents impacted by the work in the area and not just those residents where a tree was removed.

-Brad Boehringer, 105 Crestwood Drive, thanked Council for their work the past year and wished Mr. Schweser and Mr. Terwilliger the best in the future.

PRESENTATION: Mayor Oda presented plaques to outgoing members of Council.

- John W. Schweser - Third Ward Councilmember January 1, 2008 - December 31, 2021
- John L. Terwilliger – Councilmember-at-Large January 1, 2016 - December 31, 2017; Second Ward Councilmember –January 1, 2018 - December 31, 2021

Council President Lutz presented each with their name plate.

There being on further business, Council adjourned at 7:40 p.m.

Clerk of Council

President of Council

