

MINUTES OF COUNCIL

A regular session of Troy City Council was held on Tuesday, January 18, 2022 at 7:00 p.m. in Council Chambers, City Hall, and called to order by the Clerk of Council.

Members Attending: Marshall, Pierce, Rozell, Schilling, Severt, Snee, Twiss and Whidden.

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

ELECTION OF TEMPORARY PRESIDENT OF COUNCIL PRO TEM. Due to the absence of the President of Council and President of Council Pro Tem, Council elected a Temporary President of Council Pro Tem to chair this meeting. Upon motion of Mr. Schilling, seconded by Mr. Whidden, Mr. Severt was elected as Temporary President of Council Pro Tem to chair the January 18, 2022 meeting.

Others Present:	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 Councilmember Marshall, followed by the Pledge of Allegiance.

PRESENTATION: Mayor Oda, on behalf of Rumpke of Ohio, Inc., recognized Roberta Jacobs as the fourth quarter 2021 recipient of the Rumpke "Look Who Is Recycling" quarterly reward program.

PUBLIC HEARING: At 7:04 p.m., Mr. Severt declared open a public hearing on Ordinance No. O-2-2022, the rezoning of Parcel Number D08-099763, Inlot 7392, from M-2, Light Industrial District, to B-1, Local Retail District. There were no comments in this regard and at 7:05 p.m., Mr. Severt declared this public hearing closed.

MINUTES: The Clerk gave a summary of the minutes of the January 3, 2022, meeting of Troy City Council. There were no corrections or additions to these minutes. Upon motion of Mr. Schilling, seconded by Mr. Rozell, these minutes were approved by unanimous roll call vote.

COMMITTEE REPORTS:

Buildings & Utilities Committee: Mrs. Marshall, Chairman, 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 chemical Polyphosphate for the Air Stripper for the Water Treatment Plant at a cost not to exceed \$100,000. Report submitted by Twiss, Whidden and Marshall.

Community Partnerships Committee: Mr. Rozell, Chairman, reported that Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to submit an application to the Ohio Department of Development, Office of Community Development, for Community Development Block Grant (CDBG) Target of Opportunity Grant (TOG) Covid-19 Response Funds in the amount of \$493,000 for funding to complete renovations to the Buckeye House (411 – 413 S. Market Street) and authorize the City to administer the grant if approved. So that the application can be submitted without delay, committee supports emergency legislation. Report submitted by Schilling, Severt and Rozell.

Finance Committee: Mr. Rozell reported as follows:

1. Committee recommends that legislation be prepared to approve a loan from the Small Business Development (SBD) Revolving Loan Fund of \$141,000 to Allen Financial Group, LLC to assist with improvements to 80 S. Plum Street, as recommended by the Loan Review Committee. Committee supports emergency legislation so that loan can be closed without delay and the improvements commence.
2. Committee recommends that legislation be prepared to approve a modification to the previously approved loan from the Small Business Development (SBD) Revolving Loan Fund to 107 W Main LLC to extend the repayment terms from three to twenty years to assist with the renovation of the second floor of the property at 107 W. Main Street, as recommended by the Loan Review Committee. Committee supports emergency legislation so that the renovation of the second floor proceeds.
3. Committee recommends that legislation be prepared to approve a loan from the CDBG Economic Development Revolving Loan Fund of \$300,000 to Speakeasy Ramen, LLC to assist with the purchase of restaurant equipment for a new restaurant at 101 W. Main Street, as recommended by the Loan Review Committee. Committee supports emergency legislation so that the equipment can be ordered without delay.

4. Committee recommends that legislation be prepared to authorize a release of mortgage lien on the residential real estate of Deborah Newsome which was used to secure a 2004 loan for the Pinnacle Banquet and Catering Center LLC, which loan has been repaid in full. Committee supports emergency legislation so that the mortgage lien is released without delay.

Reports submitted by Phillips, Rozell and Severt.

Streets & Sidewalks Committee: Mrs. Snee reported as follows:

1. Committee recommends legislation be prepared authorizing a Resolution of Necessity regarding the 2022 Sidewalk Replacement Program (Phase 14), which is the first step for the program.
2. Committee recommends legislation be prepared authorizing a Resolution of Necessity regarding new sidewalks and a shared use path for the South Stanfield Road Reconstruction Project Phase I. This is the first step for the project. Committee supports emergency legislation so the notices to impacted property owners can be provided and the project remains on schedule for receiving OPWC funding.
3. Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to advertise for bids and enter into a contract for the construction of the W. Main Street Corridor Improvements Project Phase I a cost not to exceed \$7,700,000.

Reports submitted by Pierce, Snee and Phillips.

COMMENTS ON AGENDA ITEMS: Mickey Hammer, 1160 Red Maple Drive, commented that he appreciated the work of Council on behalf of the community, but he questioned including the word "morals" within the proposed Subdivision Regulations as he does not believe that Council should impose morals on people doing something in their own homes.

RESOLUTION NO. R-2-2022

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 POLYPHOSPHATE FOR THE WATER PLANT

This Resolution was given first title reading.

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

Yes: Schilling, Pierce, Snee, Whidden, Marshall, Twiss, Severt and Rozell.

No: None.

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

Yes: Pierce, Snee, Whidden, Marshall, Twiss, Severt, Rozell and Schilling.

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-3-2022

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 IMPROVEMENT PROJECT PHASE 1

This Resolution was given first title reading.

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

Yes: Snee, Whidden, Marshall, Twiss, Severt, Rozell, Schilling and Pierce.

No: None.

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

Yes: Whidden, Marshall, Twiss, Severt, Rozell, Schilling, Pierce and Snee.

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-4-2022

RESOLUTION DECLARING THE NECESSITY OF PHASE 14 OF THE SIDEWALK REPLACEMENT PROGRAM IN THE CITY OF TROY, OHIO

This Resolution was given first title reading.

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

Yes: Marshall, Twiss, Severt, Rozell, Schilling, Pierce, Snee and Whidden.

No: None.

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

Yes: Twiss, Severt, Rozell, Schilling, Pierce, Snee, Whidden and Marshall.

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-5-2022

RESOLUTION DECLARING THE NECESSITY OF NEW AND REPLACEMENT SIDEWALKS/SHARED USE PATH AS PART OF THE SOUTH STANFIELD ROAD RECONSTRUCTION PROJECT PHASE I IN THE CITY OF TROY, OHIO AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

Yes: Severt, Rozell, Schilling, Pierce, Snee, Whidden, Marshall and Twiss.

No: None.

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

Yes: Rozell, Schilling, Pierce, Snee, Whidden, Marshall, Twiss and Severt.

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-6-2022

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO FILE AN APPLICATION WITH THE STATE OF OHIO, OHIO DEPARTMENT OF DEVELOPMENT, TO PARTICIPATE IN THE COMMUNITY DEVELOPMENT BLOCK GRANT TARGET OF OPPORTUNITY COVID-19 RESPONSE FUND PROGRAM, AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

Yes: Schilling, Pierce, Snee, Whidden, Marshall, Twiss, Severt and Rozell.

No: None.

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

Yes: Pierce, Snee, Whidden, Marshall, Twiss, Severt, Rozell and Schilling.

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-7-2022

RESOLUTION APPROVING THE APPLICATION OF ALLEN FINANCIAL GROUP, LLC FOR LOAN ASSISTANCE FROM THE SMALL BUSINESS DEVELOPMENT REVOLVING LOAN FUND AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

Discussion: Mr. Twiss asked if the City could recall SBD and CDBG loans should the applicant not perform the work for which the loan was provided, and Mr. Titterington stated that was true.

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

Yes: Snee, Whidden, Marshall, Twiss, Severt, Rozell, Schilling and Pierce.

No: None.

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

Yes: Whidden, Marshall, Twiss, Severt, Rozell, Schilling, Pierce and Snee.

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-8-2022

RESOLUTION APPROVING THE APPLICATION OF 107 W MAIN LLC FOR LOAN ASSISTANCE FROM THE SMALL BUSINESS DEVELOPMENT REVOLVING LOAN FUND AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

Yes: Marshall, Twiss, Severt, Rozell, Schilling, Pierce, Snee and Whidden.

No: None.

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

Yes: Twiss, Severt, Rozell, Schilling, Pierce, Snee, Whidden and Marshall.

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-9-2022

RESOLUTION APPROVING THE APPLICATION OF SPEAKEASY RAMEN, LLC FOR LOAN ASSISTANCE FROM THE CDBG ECONOMIC DEVELOPMENT REVOLVING LOAN FUND AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

Yes: Severt, Rozell, Schilling, Pierce, Snee, Whidden, Marshall and Twiss.

No: None.

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

Yes: Rozell, Schilling, Pierce, Snee, Whidden, Marshall, Twiss and Severt.

No: None.

RESOLUTION 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 on December 20, 2021 (and failed suspension of the rules and failed a motion to amend).

Given second title reading on January 3, 2022 (and failed suspension of the rules).

Given third title reading.

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

Yes: Schilling, Snee, Whidden, Marshall, Twiss, Severt and Rozell.

No: Pierce.

ORDINANCE ADOPTED

ORDINANCE NO. O-2-2022

AN ORDINANCE CHANGING THE ZONING OF PARCEL NUMBER D08-099763, INLOT 7392, IN THE CITY OF TROY, OHIO FROM M-2, LIGHT INDUSTRIAL DISTRICT, TO B-1, LOCAL RETAIL DISTRICT

This Ordinance was given first title reading on January 3, 2022.

Given Public Hearing and second title reading.

ORDINANCE NO. O-3-2022

ORDINANCE RELEASING MORTGAGE LIEN FOR DEBORAH L. NEWSOME AND DECLARING AN EMERGENCY

This Ordinance was give first title reading.

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

Yes: Pierce, Snee, Whidden, Marshall , Twiss, Severt, Rozell and Schilling.

No: None.

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

Yes: Snee, Whidden, Marshall, Twiss, Severt, Rozell, Schilling and Pierce.

No: None.

ORDINANCE ADOPTED

PRESENTATION: Shane Carter, Executive Director of the Lincoln Community Center (LCC), provided Council with an update regarding the Center. Mr. Carter noted that he has been the Executive Director for ten years. He stated his appreciation and that of the Board for the long-term partnership and support of the City. He commented that LCC is now as much a regional center as a neighborhood center based on persons traveling to use the center and its programs; that the LCC benefits from a number of community partnerships that has allowed the LCC to expand programs; at this time of the year there are approximately over 400 youth in the Center over a day; approximately 90 students are being aided daily with classes to assist them in their school studies; the LCC membership is a very affordable \$10 a month with free memberships to those under the age of 21; and with the new building expansion completed in 2021, more programs can be provided and meeting space is also available for free use by non-profit organizations.

-Mr. Severt noted that the LCC program numbers have grown considerably over the past ten years. He also noted that LCC Board President Karen Boone was also in attendance.

-In response to Mr. Twiss' question about which programs may benefit more from donations, Mr. Carter suggested the Scholarship Fund to help provide educational opportunities and the Endowment Fund for the sustainability of the new building as well as the initial 1938 structure now known as the Spencer Building.

COMMENTS OF THE MAYOR: Mayor Oda commented that that she is glad for the presence of the Lincoln Community Center in Troy, and that is has been exciting to see the transformation and growth of the LCC and the programs offered.

COMMENTS OF THE DIRECTOR OF PUBLIC SERVICE AND SAFETY: Mr. Titterington noted that the annual leaf collection has concluded, and that any remaining leaves can be placed in biodegradable bags for collection.

There being on further business, Council adjourned at 7:55 p.m.

Clerk of Council

President of Council