

MINUTES OF COUNCIL

A regular session of Troy City Council was held on Monday, December 5, 2022 at 7:00 p.m. in Council Chambers, City Hall.

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

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

Presiding Officer:	William Lutz	President of Council
Others Present:	Robin I. Oda	Mayor
	Patrick E. J. Titterington	Director of Public Service and Safety
	John E. Frigge	Auditor
	Grant D. Kerber	Director of Law

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

MINUTES: The Clerk gave a summary of the minutes of the November 21, 2022, meeting of Troy City Council. There were no corrections or additions to these minutes. Upon motion of Mr. Twiss, seconded by Mrs. Snee, these minutes were approved by unanimous roll call vote.

COMMITTEE REPORTS:

Buildings & Utilities Committee: Mr. Whidden reported that Committee supports that the need to repair the Cornish Road waterline as an emergency due to the fragile condition of the pipe and with ten main breaks recently occurring in a period of less than one month; and Committee recommends that legislation be prepared declaring the repair of the Cornish Road waterline an emergency as provided by ORC Section 735.051 and authorize the Director of Public Service and Safety to enter into contracts without competitive bidding for the Cornish Road Waterline Repair Project at a total cost not to exceed \$100,000.

Report submitted by Twiss, Whidden and Marshall.

Finance Committee: Mr. Severt, Chairman, reported as follows:

1. Committee recommends that legislation be prepared increasing the authorization for the 2022 Fleet Maintenance Contract by \$50,000 to \$450,000 as a precaution based on the balance of the contract and that there was recently a major report to a jet vac. Due to the contract period nearing year end, Committee supports emergency legislation.
2. Committee recommends that the 2023 Appropriation Ordinance be prepared, which is the approval of the 2023 Budget. Committee further recommend that legislation be prepared to provide funding for the following agencies for 2023: Troy Development Council, Inc. (\$140,000); Troy Main Street, Inc. (\$60,000); and Troy Recreation Association, Inc. (up to \$32,000 based on the agency taking on additional projects or work of the City).

Reports submitted by Phillips, Rozell and Severt.

Law & Ordinance Committee: Mrs. Snee, Chairman, gave an oral report that the Ohio Division of Liquor Control has provided notices of the following liquor permits:

- Transfer of C-1 and C-2 permits from Khans Carryout LLC, Riverside, Ohio to Shakti Petroleum LLC, 959 N. Market Street.
- New D-51 permit for Edible Concepts IV LLC, dba Old Scratch Pizza, 19 E. Race Street.

Streets & Sidewalks Committee: Mr. Phillips, Chairman, reported that Committee recommends legislation be prepared authorizing the preliminary consent and participation legislation with the Ohio Department of Transportation, for the E. Main Street Resurfacing Project (Mulberry St. to E. Corporation Limits), with ODOT bidding the project and the City reimbursing ODOT for the City share.

Report submitted by Pierce, Snee and Phillips.

COMMENTS ON AGENDA ITEMS: NONE

RESOLUTION NO. R-78-2022

RESOLUTION AMENDING RESOLUTION NO. R-24-2019, INCREASING THE AUTHORIZATION FOR THE FLEET MAINTENANCE CONTRACT FOR CALENDAR YEAR 2022, AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-79-2022

RESOLUTION DECLARING AS AN EMERGENCY THE NEED FOR THE CORNISH ROAD WATERLINE REPAIR PROJECT, AND AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO EMERGENCY CONTRACTS FOR THE CORNISH ROAD WATERLINE REPAIR PROJECT WITHOUT COMPETITIVE BIDDING, AS PROVIDED BY SECTION 735.051 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-80-2022

A RESOLUTION AUTHORIZING CONSENT, COOPERATION AND PARTICIPATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF EAST MAIN STREET FROM MULBERRY STREET TO THE TROY, OHIO EAST CORPORATION LIMIT, AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-81-2022

RESOLUTION APPROVING FUNDING TO THE TROY DEVELOPMENT COUNCIL FOR ECONOMIC DEVELOPMENT FOR THE CITY OF TROY, OHIO

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-82-2022

RESOLUTION APPROVING FUNDING TO TROY MAIN STREET, INC.

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-83-2022

RESOLUTION AUTHORIZING THE BOARD OF RECREATION OF THE CITY OF TROY, OHIO, TO ENTER INTO A CONTRACT WITH THE TROY RECREATION ASSOCIATION, INC. FOR RECREATION SERVICES

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

ORDINANCE NO. O-60-2022

ORDINANCE AMENDING ORDINANCE NO. O-42-2022, TO MAKE A CORRECTION IN SECTION 1143.22 (m) (6) B

This Ordinance was given first title reading.

ORDINANCE NO. O-61-2022

ORDINANCE APPROPRIATING FUNDS NECESSARY FOR THE VARIOUS DEPARTMENTS AND OFFICES OF THE CITY OF TROY, OHIO, FOR THE YEAR 2023

This Ordinance was given first title reading.

Mr. Phillips moved for suspension of rules requiring three readings. Motion seconded by Mr. Severt.

Yes: Snee, Whidden, Severt, Phillips, Pierce and Twiss.

No: Schilling and Rozell.

ORDINANCE FAILED SUSPENSION

ORDINANCE NO. O-62-2022

ORDINANCE AMENDING ORDINANCE NO. O-65-2021, AS AMENDED BY ORDINANCE NUMBERS O-30-2022, O-56-2022, AND O-58-2022, APPROPRIATING FUNDS NECESSARY FOR THE VARIOUS DEPARTMENTS AND OFFICES OF THE CITY OF TROY, OHIO, FOR THE YEAR 2022

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

COMMENTS OF THE MAYOR: Mayor Oda congratulated the Fire Department on holding an open house for new Fire Station 11 on December 4.

COMMENTS OF THE DIRECTOR OF PUBLIC SERVICE AND SAFETY:

Mr. Titterington noted:

-Refuse collection will be on schedule for the Christmas and New Year's Holidays.

-The City has been installing new handicap curb ramps in the area of Forest Elementary School, and the City has taken steps to help protect the students who may be crossing the street during the brief construction period.

COMMENTS OF MEMBERS OF COUNCIL:

-Mrs. Snee, who is an educator at Forest Elementary School, thanked the City, the School Resource Officer, and the contractor for being on-site while the curb ramp work is going on near the school and seeing that students can safely cross the street.

-Mr. Rozell commented that he appreciates having the budget document in sufficient time that it does not have to be presented as emergency legislation, and further commented that he has no concerns about the budget but voted against suspension as he believes this important policy documents should have more than one reading.

-Mr. Schilling stated he supports the comments of Mr. Rozell about the budget and hopes that citizens take the time to review it and make any comments prior to it being adopted.

-Mr. Whidden commented that the open house for Fire Station 11 was a very nice event and he is proud of this new facility.

-Mr. Rozell commented that Wesley Jones, who frequently attended Council and other City meetings, passed away.

There being no further business, the meeting adjourned at 7:27 p.m.

