

MINUTES OF COUNCIL

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

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

Upon motion of Mr. Phillips, seconded Mr. Whidden, Mr. Schilling 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
	Grant D. Kerber	Director of Law

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

MINUTES: The Clerk gave a summary of the minutes of the January 18, 2022, meeting of Troy City Council. There were no corrections or additions to these minutes. Upon motion of Mr. Phillips, 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 Recreation Board to advertise for bids and enter into a contract for the Hobart Arena Roof Replacement Project at a cost not to exceed \$670,000.

Report submitted by Twiss, Whidden and Marshall.

Community & Economic Development Committee: Mrs. Snee reported as follows:

1. Committee recommends Ordinance No. O-2-2022 be adopted, approving the rezoning of IL 7392 from M-2 to B-1 as recommended by the Troy Planning Commission.
2. Committee recommends that legislation be prepared to provide for the three legislative items required by state law related to the Mortell Annexation, the annexation from Concord Township of 25.3483 acres located on SR 718 and Peebles Road. To meet the timeline of the state law for an expedited annexation, the Committee supports emergency legislation.

Reports submitted by Pierce, Snee and Schilling.

Law & Ordinance Committee: Mrs. Snee, Chairman, reported that the Committee concurs that the TREX Liquor Permit Application of Fermentum Enterprises LLC for a business at 8 S. Market Street would be an economic development project, and recommends that a letter of support be submitted by the Director of Public Service and Safety for the D-1, D-2 and D-6 TREX liquor permit application as requested. As this is not a matter of legislation, this Committee asks that this recommendation to support the TREX application be accepted by Council so that a letter can be provided to be included in the application that the applicant will submit to the Division of Liquor Control. Report submitted by Phillips, Severt and Snee.

Motion. A motion was made by Mrs. Snee, seconded by Mr. Phillips, that the recommendation of the Law & Ordinance Committee be approved and that the Director of Public Service and Safety submit a letter of support for the D-1, D-2 and D-6 TREX liquor permit application as requested by Fermentum Enterprises LLC for a new business to be located at 8 S. Market Street. Motion passed by unanimous roll call vote.

Recreation & Parks Committee: Mr. Whidden, Chairman, reported Committee recommends legislation be prepared authorizing the Board of Park Commissioners to advertise for bids and enter into a contract for two golf simulators for the Miami Shores Golf Course at a cost not to exceed \$100,000.

Report submitted by Rozell, Schilling and Whidden.

Streets & Sidewalks Committee: Mr. Phillips, Chairman, reported as follows:

1. Committee recommends legislation be prepared appointing Rena L. Gumerlock, Roberta Z. Jacobs, and John L. Terwilliger to an Assessment Equalization Board to hear appeals related to objections to the estimated assessments for the sidewalk/shared use path of the South Stanfield Road Reconstruction Project Phase I, and that the meeting of the Board be set for February 23, 2022, at 6:30 P.M. at City Hall. Based on the date the AEB will be meeting, Committee supports emergency legislation.

2. Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to enter into a professional services agreement with Prime Construction Management and Survey, Inc. for construction management services for the West Main Street Corridor Improvement Project, Phases 1 and 2 and the duct bank, at a cost not to exceed \$850,000. The Committee also supports emergency legislation so that the agreement can be executed as bidding for elements of this project is already underway.

Reports submitted by Pierce, Snee and Phillips.

COMMENTS ON AGENDA ITEMS: NONE

RESOLUTION NO. R-10-2022

RESOLUTION AUTHORIZING THE RECREATION BOARD OF THE CITY OF TROY, OHIO TO ADVERTISE FORBIDS AND ENTER INTO A CONTRACT FOR THE HOBART ARENA ROOF REPLACEMENT PROJECT

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-11-2022

RESOLUTION AUTHORIZING THE BOARD OF PARK COMMISSIONERS OF THE CITY OF TROY, OHIO TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR GOLF SIMULATORS FOR THE MIAMI SHORES GOLF COURSE

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-12-2022

RESOLUTION APPOINTING ASSESSMENT EQUALIZATION BOARD 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. Whidden.

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-13-2022

RESOLUTION ESTABLISHING MUNICIPAL SERVICES FOR CERTAIN TERRITORY CONTAINING 25.3483 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. Phillips moved for suspension of rules requiring three readings. Motion seconded by Mr. Twiss.

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-14-2022

RESOLUTION ESTABLISHING BUFFER REQUIREMENTS FOR CERTAIN TERRITORY CONTAINING 25.3483 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 rules requiring three readings. Motion seconded by Mr. Whidden.

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-15-2022

RESOLUTION CONSENTING TO THE ANNEXATION OF CERTAIN TERRITORY CONTAINING 25.3483 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. Twiss moved for suspension of rules requiring three readings. Motion seconded by Mrs. Snee.

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-16-2022

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL SERVICES WITH PRIME CONSTRUCTION MANAGEMENT AND SURVEY, INC. OF CINCINNATI, OHIO FOR CONSTRUCTION ADMINISTRATION SERVICES FOR THE WEST MAIN STREET CORRIDOR IMPROVEMENT PROJECT, 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: Snee, Whidden, Twiss, Rozell, Pierce, Marshall, Severt and Phillips.

No: None.

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

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

No: None.

RESOLUTION 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 on January 18, 2022.

Given third title reading.

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

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

No: None.

ORDINANCE ADOPTED

COMMENTS OF THE MAYOR: Mayor Oda thanked the employees from the several departments who were involved in working to keep streets open following a heavy snow the past week.

COMMENTS OF THE DIRECTOR OF PUBLIC SERVICE AND SAFETY: Mr. Titterington noted:

-The next meeting will be February 22, due to the Presidents' Day Holiday.

-Regarding the snow fall of the prior week, Mr. Titterington noted that by the end of the day on Thursday, February 3, all streets had been salted; crews then started plowing through the rest of the day; the crews were sent home late Thursday to rest; then started plowing early Friday; and by the end of Friday plows had been on every street. He commented that as of February 7, 2022 crews have started clearing snow closer to the curbs and clearing the downtown.

COMMENTS OF COUNCIL PRESIDENT: Mr. Lutz commented that he thought the snow plowing was well done.

COMMENTS OF COUNCIL MEMBERS:

-Mr. Whidden asked if there was concern that the large piles of snow currently in the downtown could be an obstacle. Mr. Titterington advised that crews have started to remove the snow from the downtown.

-Mr. Twiss asked about the installation of the traffic poles on Kings Chapel Drive/West Main Street and was advised that some parts have not been received.

-Mr. Twiss asked if there is information available related to replacement of trees removed, with Mr. Titterington commenting that sometimes trees are placed in the exact location where one is removed, but the number of trees is maintained and added to.

PUBLIC COMMENTS:

-Brad Boehringer, 180 Crestwood Drive, commented that he is concerned that Council did not consider the DR-O application for 112-116 West Main Street approved by the Planning Commission; and suggested the Mayor increase the number of Planning Commission members by three and appoint persons from the historic preservation community.

There being on further business, Council adjourned at 7:36 p.m.

Clerk of Council

President of Council

