

MINUTES OF COUNCIL

A regular session of Troy City Council was held on Monday, March 21, 2022 at 7:00 p.m. in Council Chambers, City Hall.

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

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 Schilling, followed by the Pledge of Allegiance.

MINUTES: The Clerk gave a summary of the minutes of the March 7, 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:

Community & Economic Development Committee: Mr. Schilling, Chairman, reported as follows:

1. Committee recommends approval of Resolution No. R-25-2022, the application of EMATT EMARI EMARC an Ohio Limited Family Partnership for Parcel No. D08-104384 to remain in an Agricultural District.
2. Committee recommends approval of R-26-2022, the application of Neal Brothers Inc. for Parcel Numbers parcels D08-105802 and D08-105804 to remain in an Agricultural District.

Reports submitted by Pierce, Snee and Schilling.

Personnel Committee: Mr. Pierce, Chairman, provided an oral report that the Mayor has requested the reappointment of Theodore Ristoff to the Miami County Board of Health, and the Committee supports the reappointment. A motion was made by Mr. Pierce, seconded by Mr. Phillips, to approve the reappointment of Theodore Ristoff to the Miami County Board of Health for a term commencing April 1, 2022 and ending March 31, 2027. Motion approved by unanimous roll call vote.

Recreation & Parks Committee: Mr. Whidden, Chairman, reported that Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to execute the Treasure Island Park Non-Ticketed Use Agreements for the June 24 and August 6, 2022, concerts at Treasure Island Park.

Report submitted by Rozell, Schilling and Whidden.

Streets & Sidewalks Committee: Mr. Phillips, 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 South Stanfield Road Reconstruction Project at a total cost not to exceed \$1,970,000. Committee noted that the project will be funded \$600,000 from the Ohio Public Works Commission; in addition to the OPWC Fund, the project will be budgeted from the Water, Sewer and Storm Water Funds, that the project estimate has increased from \$1,300,000, and that a future reappropriation may be required.

Report submitted by Pierce, Snee and Phillips.

COMMENTS ON AGENDA ITEMS: NONE

RESOLUTION NO. R-25-2022

RESOLUTION APPROVING APPLICATION OF EMATT EMARI EMARC AN OHIO LIMITED FAMILY PARTNERSHIP FOR RENEWAL OF FARMLAND IN AN AGRICULTURAL DISTRICT

This Resolution was given public hearing and first title reading on March 7, 2022.
Given second title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-26-2022

RESOLUTION APPROVING APPLICATION OF NEAL BROTHERS INC FOR RENEWAL OF FARMLAND IN AN AGRICULTURAL DISTRICT

This Resolution was given public hearing and first title reading on March 7, 2022.
Given second title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

ORDINANCE NO. O-8-2022

ORDINANCE AMENDING ORDINANCE NO. O-13-90 REGARDING THE ALLOCATION OF FINES FOR ALL PARKING VIOLATIONS AND DECLARING AN EMERGENCY

This Ordinance was given first title reading on March 7, 2022.
Given second title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-10-2022

ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO EXECUTE A TREASURE ISLAND NON-TICKETED USE AGREEMENT FOR 2022 EVENTS AT TREASURE ISLAND PARK

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: Twiss.

ORDINANCE ADOPTED

ORDINANCE NO. O-11-2022

ORDINANCE DETERMINING TO PROCEED WITH THE SOUTH STANFIELD ROAD RECONSTRUCTION PHASE 1 PROJECT, AND 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 SOUTH STANFIELD ROAD RECONSTRUCTION PROJECT PHASE 1

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-12-2022

AN ORDINANCE CHANGING THE ZONING OF INLOTS 11463 AND 11464 IN THE CITY OF TROY, OHIO FROM MIAMI COUNTY ZONING OF A-1, DOMESTIC AGRICULTURE, AND A-2, GENERAL AGRICULTURE, TO THE CITY ZONING OF R-4, SINGLE-FAMILY RESIDENCE DISTRICT

This Ordinance was given first title reading.

COMMENTS OF THE DIRECTOR OF PUBLIC SERVICE AND SAFETY:

Mr. Titterington commented:

-There have been questions regarding the Tavern Building (112-116 W. Main Street) and if the City should seek to have the chain link fence removed from around the property. He commented that at this time legal briefs can still be filed, and legal counsel has advised that the City should take no action as the Judge has not made a decision, and in the interim, the fencing secures the building.

-The Items of Interest included a report regarding the DORA, and there will be further reports and monitoring.

-Bids continue to be a challenge with rising costs, bidders having a lack of employees, and supply chain issues, to name some concerns. The West Main Street Reconstruction Project Phase I has an April 6 bid opening scheduled, and the City is seeking alternate bids for the Duct Bank Project as a part of that bid.

COMMENTS OF MEMBERS OF COUNCIL:

-Mr. Phillips offered congratulations to employees who have announced their retirement.

-Mr. Phillips asked when work on the West Main Street Reconstruction Project Phase I should commence, with Mr. Titterington advising that based on information from potential contractors, there are factors that could delay actual work until 2023, and more information in this regard will be known after bids are opened and reviewed.

COMMENTS OF AUDIENCE MEMBERS:

Anne McDonough, 700 Governors Road, commented that she recently bid on (and purchased) a portion of Archer Park adjacent to her property in that a shed on her property actually encroached into the park. She indicated she did not feel she was treated properly as a citizen, that she should have received more information and timelier and the charge was much higher than others paid to purchase adjacent property in prior years. Mr. Titterington explained that much of the cost was due to the State mandated legal advertising period and the purchaser paying for survey costs, which were spread out over several properties offered for sale, and which would have been much higher for a single property advertised for sale.

There being on further business, Council adjourned at 7:59 p.m.

Clerk of Council

President of Council

