

MINUTES OF COUNCIL

A regular session of Troy City Council was held Tuesday, September 6, 2022 at 7:00 p.m. in Council Chambers, City Hall.

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

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

Upon motion of Mr. Severt, seconded by Mr. Rozell, 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
	Grant D. Kerber	Director of Law

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

MINUTES: The Clerk gave a summary of the minutes of the August 15, 2022, 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. Schilling, Chairman, reported as follows:

1. Committee recommends that Ordinance No. O-42-2022 be approved, which Ordinance provides for amendments to Sections 1137 and 1143 of the Zoning Code regarding the Historic Preservation overlay District, as recommended by the Troy Planning Commission.
2. Committee recommends Ordinance No. O-44-2022 be adopted to rezone Inlot 8386 at 2601 W. Main Street from M-2, Light Industrial District, to a Planned Development – Industrial (PD-I) for the Troy Store and Lock, as recommended by the Troy Planning Commission and based on the findings of staff.
3. Committee recommends legislation be prepared to vacate an easement on Part Outlot 5 between parcels D08-251017 and D08-250517, the location of new Fire Station 11, which easement is not needed for a public purpose.

Reports submitted by Pierce, Snee and Schilling.

Community Partnerships Committee: Mr. Rozell, Chairman, reported that Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to enter into an agreement with Pink Ribbon Girls, Inc. related to an event on public property on October 8 and that the legislation includes the standard notwithstanding language for such events. Committee noted that the agreement will include Pink Ribbon Girls selling alcoholic beverages downtown within the DORA area.

Report signed by Schilling, Severt and Rozell.

Law & Ordinance: Mrs. Snee, Chairman, gave an oral report of notice of the following liquor license applications:

1. New D1 permit for Kroger Limited Partnership I, dba Kroger #984, 731 W. Market Street
2. New D1 permit for LaFiesta Express LLC, dba La Fiesta Express, 1133 W. Main Street

COMMENTS ON AGENDA ITEMS: NONE

RESOLUTION NO. R-59-2022

RESOLUTION AUTHORIZING TAX LEVIES FOR THE CITY OF TROY, OHIO FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2023 AS DETERMINED BY THE BUDGET COMMISSION AND CERTIFYING SUCH LEVIES TO THE COUNTY AUDITOR AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

ORDINANCE NO. O-42-2022

AN ORDINANCE AMENDING SECTION 1137 AND SECTION 1143 OF THE ZONING CODE OF THE CITY OF TROY, OHIO RELATED TO THE HISTORIC PRESERVATION OVERLAY DISTRICT

This Ordinance was given first title reading on August 1, 2022.
Given Public Hearing and second title reading on August 15, 2022.
Given third title reading.

Mr. Phillips moved for adoption. Motion seconded by Mrs. Snee.
Yes: Severt, Snee, Whidden, Phillips, Pierce, Rozell and Schilling
No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-44-2022

AN ORDINANCE CHANGING THE ZONING OF INLOT 8386 IN THE CITY OF TROY, OHIO FROM M-2, LIGHT INDUSTRIAL DISTRICT, TO A PLANNED DEVELOPMENT – INDUSTRIAL (PD-I)

This Ordinance was given first title reading on August 1, 2022.
Given Public Hearing and second title reading on August 15, 2022.
Given third title reading.

Mr. Whidden moved for adoption. Motion seconded by Mr. Pierce.
Yes: Snee, Whidden, Phillips, Pierce, Rozell, Schilling and Severt.
No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-46-2022

AN ORDINANCE ESTABLISHING THE ONEOHIO OPIOID SETTLEMENT FUND AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

Mr. Schilling moved for suspension of rules requiring three readings. Motion seconded by Mr. Pierce.
Yes: Whidden, Phillips, Pierce, Rozell, Schilling, Severt and Snee.
No: None.
Mr. Rozell moved for adoption. Motion seconded by Mrs. Snee.
Yes: Phillips, Pierce, Rozell, Schilling, Severt, Snee and Whidden.
No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-47-2022

ORDINANCE VACATING AN EASEMENT ON PART OF OUTLOT 5, AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

Mr. Phillips moved for suspension of rules requiring three readings. Motion seconded by Mr. Whidden.
Yes: Pierce, Rozell, Schilling, Severt, Snee, Whidden and Phillips.
No: None
Mr. Phillips moved for adoption. Motion seconded by Mr. Whidden.
Yes: Rozell, Schilling, Severt, Snee, Whidden, Phillips and Pierce.
No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-48-2022

ORDINANCE AUTHORIZING THE USE OF PUBLIC AREAS FOR A PINK RIBBON GIRLS EVENT, NOTWITHSTANDING CONFLICTING PROVISIONS OF THE TROY CODIFIED ORDINANCES, AND FURTHER APPROVING THE USE OF AN AREA FOR THE SALE OF BEER SUBJECT TO THE ISSUANCE OF PROPER PERMITS BY THE STATE OF OHIO AND PROCUREMENT OF LIQUOR LIABILITY INSURANCE AND AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO AN AGREEMENT WITH PINK RIBBON GIRLS, INC. THEREFOR

This Ordinance was given first title reading.

Mr. Phillips moved for suspension of rules requiring three readings. Motion seconded by Mr. Schilling.
Yes: Schilling, Severt, Snee, Whidden, Phillips, Pierce and Rozell.
No: None.

Mr. Phillips moved for adoption. Motion seconded by Mr. Severt.
Yes: Severt, Snee, Whidden, Phillips, Pierce, Rozell and Schilling.
No: None.

ORDINANCE ADOPTED

PRESENTATION: Robby Lybarger (Development Director) and Jennifer Knisley (Program Director) of Isaiah's Place made a presentation. Isaiah's Place is a faith-based non-profit agency in Troy, which trains foster parents and provides child abuse case management to children from over 20 counties across southwest Ohio. A new Child Advocacy Center (CAC) is proposed for Troy and is a model to create a coordinated, multidisciplinary response to child abuse cases in Miami County, while bringing together child protective services agencies, law enforcement, victim assistance workers, prosecutors, medical professionals, and social workers. By having a central location for all of these agencies to collaborate, the CAC aims to make investigations easier on victims and families, allowing for a more effective, child-friendly, and compassionate response. The CAC will also provide training for the agencies involved. Funding of \$5,000 annually is being requested from Troy for 2023.

-In response to Mr. Schilling, it was stated there are about 100 cases of child abuse reported annually in Miami County, not including those that go through Children's Services.

-Mr. Phillips commented that he is a board member of CASA and that organization is dealing with over 200 cases of child abuse this year, he believes there is a huge need for a CAC in Miami County, and he worked with a similar model as a police officer in another state and found it to be extremely beneficial for all involved, especially the children.

-In response to Mr. Pierce, it was stated that the interviews will actually take place at Isaiah's Place and an area will be renovated to provide a separate interview and observation room.

-In response to Mr. Severt, it was stated that funding has been sought from Miami County with the County Commissioners asking that funding also be sought from the Miami County cities and villages, grant applications will be filed and private donations sought as well.

-Mr. Schilling asked if mental health services are not provided by Troy's funding to Miami County Public Health, and was advised that the Public Health Agreement may include some mental health services, but that agreement would not cover the services to be provided by a CAC.

-Mr. Titterington and Mayor Oda commented that funding of \$5,000 from the City's General Fund for 2023 is supported, with Mr. Titterington noting that it may not be an automatic \$5,000 annual funding as the cities want to see how the CAC operates in 2023, then look at any funding gap and look at future funding.

COMMENTS OF THE DIRECTOR OF PUBLIC SERVICE AND SAFETY:

Mr. Titterington provided a reminder that Trick or Treat will be October 27, 6-8 PM.

COMMENTS OF MEMBERS OF COUNCIL:

Mr. Whidden congratulated Cemetery Foreman David Hastings on his retirement.

AUDIENCE COMMENTS:

Paula Hemmerick, 4375 Horseshoe Bend Road, Troy, Ohio, and Paul Schaffner, 847 Maplecrest Drive, Troy, Ohio, spoke on behalf of "Move to Amend", a movement to have communities support a 28th Amendment to the Constitution of the United States that would provide that only natural persons and not corporations like censored by a state have rights afforded by the Constitution and that money spent on politics is not protected as free speech.

There being no further business, the meeting adjourned at 7:45 p.m.

Clerk of Council

President of Council

