

MINUTES OF COUNCIL

A regular session of Troy City Council was held on Monday, May 15, 2023 at 7:00 p.m. in Council Chambers, City Hall.

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

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

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

Presiding Officer: Bobby Phillips President of Council Pro Tem

Others Present: William Lutz Acting Mayor
Grant D. Kerber Director of Law

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

MINUTES: The Clerk gave a summary of the minutes of the May 1, 2023, meeting of Troy City Council. There were no corrections or additions to these minutes. Upon motion of Mr. Rozell, seconded by Mr. Pierce, 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 enter into professional services agreements with Jones & Henry Engineers, Ltd. of Cincinnati, Ohio, for the following design projects:

- Chlorine Gas Conversion Project for the Water Treatment Plant at a cost not to exceed \$226,430
 - Valve Replacement Project for the Water Treatment Plant at a cost not to exceed \$120,310
- Report submitted by Twiss, Whidden and Marshall.

Community & Economic Development Committee: Mr. Schilling, Chairman, reported that Committee supports the recommendation of the Troy Planning Commission, and recommends that Ordinance No. O-21-2023 be adopted to rezone 15 S. Oxford Street from B-2, General Business District, to OR-1, Office Residence District.
Report submitted by Pierce, Snee and Schilling.

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

1. Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to enter into an Easement Agreement with Busted Brick Realty Group, LLC related to an encroachment into the public Right-of-Way of North Cherry Street to permit the construction of an exterior stairway to the roof. So that the redevelopment of this building can continue without delay, Committee supports emergency legislation.
Report submitted by Pierce, Snee and Schilling.
2. Committee recommends legislation be prepared authorizing the final assessment for Phase 14 of the Sidewalk Improvement Program. Committee member Snee will recuse herself from the recommendation as she is a property owner within Phase 14.
Report submitted by Pierce and Phillips.

COMMENTS ON COMMITTEE REPORTS OR AGENDA ITEMS: None.

RESOLUTION NO. R-31-2023

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL SERVICES WITH JONES & HENRY ENGINEERS, LTD. OF CINCINNATI, OHIO, FOR DESIGN SERVICES FOR THE CHLORINE GAS CONVERSION PROJECT AT THE WATER TREATMENT PLANT OF THE CITY OF TROY, OHIO

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-32-2023

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL SERVICES WITH JONES & HENRY ENGINEERS, LTD. OF CINCINNATI, OHIO, FOR DESIGN SERVICES FOR THE VALVE REPLACEMENT PROJECT AT THE WATER TREATMENT PLANT OF THE CITY OF TROY, OHIO

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

ORDINANCE NO. O-21-2023

AN ORDINANCE CHANGING THE ZONING OF PARCEL NUMBER D08-001120 IN THE CITY OF TROY, OHIO FROM B-2, GENERAL BUSINESS DISTRICT, TO OR-1, OFFICE RESIDENTIAL DISTRICT

This Ordinance was given first title reading on April 17, 2023.

Given public hearing and second title reading on May 1, 2023.

Given third title reading.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-26-2023

ORDINANCE LEVYING ASSESSMENTS FOR PHASE 14 OF THE SIDEWALK IMPROVEMENT PROGRAM

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-27-2023

ORDINANCE APPROVING AN EASEMENT AGREEMENT WITH BUSTED BRICK REALTY GROUP LLC, AN OHIO LIMITED LIABILITY COMPANY, REGARDING AN ENCROACHMENT INTO THE PUBLIC RIGHT-OF-WAY WEST OF INLOT 31, INTO NORTH CHERRY STREET, IN THE CITY OF TROY, OHIO; 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. Whidden.

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-28-2023

AN ORDINANCE CHANGING THE ZONING OF 58.093 ACRES OF INLOT 11550, PARCEL NUMBER D08-107388 IN THE CITY OF TROY, OHIO, FROM THE MIAMI COUNTY ZONING OF A-2, GENERAL AGRICULTURE, TO THE CITY ZONING OF R-5, SINGLE FAMILY RESIDENCE DISTRICT

This Ordinance was given first title reading.

COMMENTS OF ACTING MAYOR:

Mr. Lutz, noting that the next regular meeting of Council will occur after Memorial Day and the Troy Strawberry Festival, stated he hoped that everyone will have good memories of those two occasions.

COMMENTS OF ACTING DIRECTOR OF PUBLIC SERVICE AND SAFETY:

Mark Wendling stated that to comply with EPA regulations regarding composting facilities, the Dye Mill Road Compost Facility will change its list of acceptable items beginning June 1 with concrete, bricks, and blocks no longer being accepted.

CITIZEN COMMENTS:

Deb Hogshead, 421 S. Plum Street, thanked those who were candidates in the May Primary who took the time to provide written responses on their positions regarding the "We the People Amendment".

There being no further business, Council adjourned at 7:21 p.m.

Clerk of Council

President of Council

