

MINUTES OF COUNCIL

A regular session of Troy City Council was held on Monday, April 15, 2024 at 7:00 p.m. in Council Chambers, City Hall.

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

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

Presiding Officer: William G. Rozell 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
John E. Frigge City Auditor

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

PRESENTATION: Mayor Oda, along with Chanda Rohrer and Molly Kennedy of Rumpke of Ohio, Inc., made a presentation to the recipient of the Rumpke "Look Who Is Recycling" quarterly reward program for 1st Quarter 2024. The recipients were Tim and Amanda Jackson of West Water Street. The Rumpke representatives then announced the Hefty ReNew Program, which will allow Rumpke customers to recycle more plastics.

MINUTES: The Clerk gave a summary of the minutes of the April 1, 2024, meeting of Troy City Council. There were no corrections or additions to these minutes. Upon motion of Mr. Whidden, seconded by Mr. Schilling, the minutes were approved by unanimous roll call vote.

COMMITTEE REPORTS:

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

1. Committee recommends that legislation be prepared accepting the dedication of a utility easement along North Dorset Road related to the Addison Landing Subdivision and authorizing the Director of Public Service and Safety to execute associated easement documents.
2. Committee recommends that legislation be prepared authorizing the Director of Public Service and Safety to enter into an amendment to the Professional Services Agreement with American Structurepoint, Inc. of Indianapolis, Indiana, to provide an update to the Subdivision Regulations at a cost of \$25,000. There is an agreement with American Structurepoint, Inc. in the amount of \$200,000 for the update of the Comprehensive Plan and the Zoning Code. Adding the update of the Subdivision Regulations will result in a total Professional Services Agreement not to exceed \$225,000. So that the work on the Subdivision Regulations can proceed without delay along with the other elements of the Agreement, Committee supports emergency legislation.
3. Committee supports the recommendation of the Troy Planning Commission and recommends that legislation be prepared approving the Final Record Plan of Phase 2 of the Villas of Halifax Subdivision and Patio Homes Planned Development – Residential (PD-R) as it conforms to the approved General Plan and Final Development Plan. This PD is located on the east side of North Market Street.
4. Committee supports the recommendation of the Troy Planning Commission and recommends that legislation be prepared accepting the dedication of 0.124 acres of current Inlot 11365, located along 2765 McKaig Road, as Right-of-Way.

Reports submitted by Pierce, Snee and Schilling.

Finance Committee: Mr. Severt, 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 Curbside Recycling Program for a three-year period, with up to two one-year mutually agreeable extensions, at a cost not to exceed \$535,000 per contract year. In that the current contract expires in May, Committee supports emergency legislation.

Report submitted by Schilling, Westfall and Severt.

Personnel Committee: Mrs. Snee, Chairman, reported that Committee recommends legislation be prepared amending the appropriate salary ordinance to establish the position of Clerk-Typist in the Cemetery Department, which will be a part-time position with a wage of \$22.37 per hour. So that the position can be filled without delay, the Committee supports emergency legislation.

Report submitted by Phillips, Pierce and Snee.

Law & Ordinance Committee: Mr. Whidden, Chairman, provided an oral report that the Ohio Division of Liquor Control has transmitted the notice of the transfer of the existing D1, D2, and D3 Liquor Permits from the name of Dunaways Beef N Ale Inc, 508 W. Main Street, to Deck on Main LLC, with the same address.

CITIZEN COMMENT ON AGENDA ITEMS: None.

RESOLUTION NO. R-17-2024

RESOLUTION 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 CURBSIDE RECYCLING PROGRAM AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-18-2024

RESOLUTION AMENDING RESOLUTION NO. R-42-2023. AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO AN AMENDED PROFESSIONAL SERVICES AGREEMENT WITH AMERICAN STRUCTUREPOINT, INC. OF INDIANAPOLIS, INDIANA FOR THE UPDATE OF THE COMPREHENSIVE PLAN, ZONING CODE, AND SUBDIVISION REGULATIONS OF 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 Mrs. Snee.

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

ORDINANCE NO. O-14-2024

ORDINANCE ACCEPTING THE McKAIG ROAD REPLAT OF INLOTS 11365 & 11366 AND THE DEDICATION OF RIGHT-OF-WAY LOCATED ALONG INLOT 11365 IN THE CITY OF TROY, OHIO

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-15-2024

ORDINANCE ACCEPTING A UTILITY EASEMENT ALONG NORTH DORSET ROAD, TROY, OHIO, ON LOT 6895, AND AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO EXECUTE THE EASEMENT FOR UTILITY PURPOSES

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-16-2024

ORDINANCE ACCEPTING THE FINAL RECORD PLAN OF PHASE 2 OF THE VILLAS OF HALIFAX SUBDIVISION AND PATIO HOMES PLANNED DEVELOPMENT – RESIDENTIAL

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-17-2024

ORDINANCE AMENDING ORDINANCE NO. O-50-2023, ESTABLISHING SALARIES OF CERTAIN EMPLOYEES OF THE CITY OF TROY, OHIO, AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-18-2024

AN ORDINANCE AMENDING SECTIONS 1143.13, 1143.14, 1143.15, AND 1143.18 OF THE ZONING CODE OF THE CITY OF TROY, OHIO

This Ordinance was given first title reading.

PRESENTATION: A Fair Housing Presentation was provided by John Zimmerman, Vice-President of Miami Valley Fair Housing Center, and Jacqueline Tyler, City of Troy Management Analyst in the Development Department. Mr. Zimmerman explained that the mission of Fair Housing is to eliminate housing discrimination, promote economic opportunity, and achieve diverse, inclusive communities by leading the nation in the enforcement, administration, development, and public understanding of federal fair housing policies and laws. He further commented that the work to eliminate housing discrimination for protected categories includes those currently in the uniform service but does not currently include working on behalf of veterans; 60% of complaints are by those with disabilities; much of the work is in providing education; and he enjoys an excellent working relationship with Troy City Staff.

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

-A Streetscape Concept discussion meeting will be held on April 17, 6:00 pm, on the 3rd floor of the Redmen's Building, and the public is encouraged to attend, hear the information, and provide feedback.

-Regarding street sweeping, the City uses a contractor that sweeps the entire City approximately every month, and this is more cost effective than providing the service in-house.

COMMENTS OF MEMBERS OF COUNCIL:

Mr. Severt noted that The Troy Foundation kicked off their 100th Anniversary celebration on April 15 and has planned a number of events for the year to celebrate the anniversary.

CITIZEN COMMENTS:

-Ben Sutherly, President of the Troy Historic Preservation Alliance (THPA), 110 ½ W. Main Street, provided a status update on the stabilization of the IOOF Building (112-118 W. Main Street). He commented that THPA is 15 days from the deadline for stabilization and expects the work to be completed ahead of schedule; some of the scaffolding has been removed; \$816,184 has been pledged plus a loan is available; THPA does not believe the City has answered all the questions asked; THPA believes it has honored the Settlement Agreement; and if the City believes something has not been addressed the City should be forthcoming in asking about that and not spring last minute requirements.

-Mr. Schilling asked if the windows facing W. Main Street will be restored like those on the left side of the building. Mr. Sutherly stated a funding request for the windows was submitted to the National Trust, restoration will be dependent on funding and National Trust guidelines; and work would have to be submitted to the Planning Commission.

There being no further business, Council adjourned at 7:57 p.m.

Clerk of Council

President of Council