

MINUTES OF COUNCIL

A regular session of Troy City Council was held on Monday, May 20, 2024, at 7:00 p.m. in Council Chambers, City Hall.

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

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

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	Auditor

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

MINUTES: The Clerk gave a summary of the minutes of the May 6, 2024, meeting of Troy City Council. There were no corrections or additions to these minutes. Upon motion of Mr. Phillips, seconded by Mr. Severt, the minutes were approved by unanimous roll call vote.

COMMITTEE REPORTS:

Buildings & Utilities Committee: Mr. Pierce, Chairman, reported that Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to enter into an amendment to the Professional Services Agreement with Jones & Henry Engineers, Ltd. of Cincinnati, Ohio to perform the additional design related to the Chlorine Gas Conversion Project at the Water Treatment Plant at a cost not to exceed \$32,640, for a total agreement cost not to exceed \$259,070.

Reports submitted by Phillips, Snee and Pierce.

Finance Committee: Mr. Severt, Chairman, reported that the bids for the Curbside Recycling exceeded the amount authorized; Committee supports continuing to contract for this service as contracting is more cost-effective than performing the work in-house and the recycling fee supports the contract; and Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to enter into a contract for the Curbside Recycling Program as follows:

Contract Year	2024-25	2025-26	2026-27	2027-28	2028-29
Authorization	\$570,000	\$605,000	\$647,000	\$685,000	\$730,000

Committee noted that the recycling program will be evaluated prior to a determination if the contract will be extended for optional years 2027-28 or 2028-29.

Report submitted by Schilling, Westfall and Severt.

Discussion: Mr. Severt thanked the Director of Public Service and Safety, the City Auditor and the City Engineer for the work prior to the Committee Meeting, and the review to determine that there would not be a rate increase the five years of the recycling contract.

Law & Ordinance Committee: Mr. Whidden, Chairman, reported that Committee supports the Zoning Code amendments recommended by the Troy Planning Commission regarding amendments to the DR-O District and recommends that Ordinance No. O-18-2024 be adopted. Committee noted that upon the effective date of the Ordinance the moratorium would cease prohibiting applications within the DR-O District.

Report submitted by Marshall, Twiss and Whidden.

Safety & Health Committee: Mr. Whidden reported that Committee recommends legislation be prepared approving the Miami County 9-1-1 Plan, which has been approved by the County. Committee supports emergency legislation as the County has requested notice of approval by Miami County entities by May 24.

Report submitted by Severt, Whidden and Twiss.

Streets & Sidewalks Committee: Mr. Phillips, Chairman, reported that Committee recommends legislation be prepared authorizing the Ordinance of Assessment for the 2024 Sidewalk Repair Program, Phase 15. Committee noted that via the assessment's or payments of the property owner's cost, \$153,065.29 will be returned to the City for Phase 15.

Report submitted by Schilling, Westfall and Phillips.

CITIZEN COMMENTS ON AGENDA ITEMS: Deb Hogshead, 421 S. Plum Street, commented that she is glad the City will continue to contract for recycling as she does not want to see recyclables in the waste stream and encourages an evaluation to see if there could be a further reduction in the use of plastics.

RESOLUTION NO. R-22-2024

RESOLUTION AMENDING RESOLUTION NO. R-31-2023, AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO AN AMENDMENT TO THE 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. Phillips moved for suspension of rules requiring three readings. Motion seconded by Mr. Schilling.

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-23-2024

RESOLUTION AMENDING RESOLUTION NO. R-17-2024, 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. Whidden moved for suspension of rules requiring three readings. Motion seconded by Mr. Schilling.

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-24-2024

RESOLUTION APPROVING THE MIAMI COUNTY 9-1-1 FINAL PLAN AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION 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 on April 15, 2024.

Given public hearing and second title reading on May 6, 2024.

Given third title reading.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-21-2024
ORDINANCE LEVYING ASSESSMENTS FOR PHASE 15 OF THE SIDEWALK IMPROVEMENT PROGRAM

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

COMMENTS OF MAYOR: Mayor Oda commented that there will be a Memorial Day Ceremonies at the Veterans' Memorial on May 27 at 11:00 a.m.

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

-City Offices will be closed for the Memorial Day Holiday, and refuse collection services will be on schedule.

-A publkc meeting will be held May 22, 6:00 p.m., at the Bravo Room of the Hobart Areana regarding the Downtown Streetscape and Safety Improvements Project.

COMMENTS OF THE COUNCIL PRESIDENT: Mr. Rozell noted that visitors for the Strawberry Festival will need to be patient with traffic.

COMMENTS OF COUNCIL MEMBERS: Mr. Phillips commented that he recently had an opportunity to use the Maker Lab (part of the Troy-Miami County Public Library) and he encouraged the public to use this facility.

CITIZEN COMMENTS:

-Deb Hogshead, 421 S. Plum Street, stated that it is not possible to recycle ones' way out of problems caused by plastics, including littering in streets and rivers, subsequent pollution, and encouraged a reduction of dependence on plastics, and she encouraged legislation that would result in the reduced use of plastics, especially single-use plastics.

-Johnathan Newman, 194 Littlejohn Road, Troy, stated he is running for State Representative of District 8.

There being no further business, Council adjourned at 7:32 p.m.

Clerk of Council

President of Council

Get 140,000 anapd rolled
a appl wih both rolled

Jeff 17K adm and 3K ad100m and could some go to LCC? Yes

Yes

Then have 130K for street impr and if gave30K for LCC andthen use \$100K for street

If don't get740K get

PT hastobe project for LCC as plan B- is therea project

Davis- spend atLCC ifthis is not recommended, then would havemeetingto allocto LCC

Jeff S – have bee told thatwhileapply for grant nothing instone so if get \$150K give\$30 K to LCC

PT – quest to 3 object for Crawford, flexibilt in Crawford for3 obectinC street, wsiemy/walk,HerPark

Ability to move between those objectivesis poss, dloesnot mean give to LCC since out side scope of this project

Jeff wondering if move and understand

Jeff 10' path herrto W Water and1st qes if want ot che to make sure 5' sdew craw tp Water we could make that
Yes

This does ot give stamp of approval to the 10' path

Rec\ is shared path on west side, replace 5' on east side and fill in gaps on both sides, rec 10' as safer than Sare the rd concept, but any time hved var ped and non-veh traffic and inex users cannot do on 5' path with no designated lane, not safe as off the street and want to maintain parking on both sides

Not des

Will be re-audited bidd in the future – then very spec detailed plans that council can modify or approve and they will be flex to go from 10' to 5' to on street – many diff, and move more btwn objectives.

Jeff – accord money from GF to park

PT- multiyear project, and do not think - this area could use investment.

Severt- is this eme due to timing and where aware grant avail

PT – aware ingener of CD4

NRP- one that state did not provide app guideline until mid-May has 2 he RING required, and those have timing requirements; and with 6-2 deadline made emer.

Only mtg between now and June 12 move or lose or have speci mtg.

Had involved discussion. Andunan rec

at

Schilling – my vot was based on ability to change plan moving forward = 10' path not in stone, I would that feel if 5' on both sides take care of strollers and walkers and do not need crowd control on these sidewalks, and don't foresee problem, maybe increase some bike riders, concern elec bikes with speed and scooters, startw with shared rd concept and that would accomodate the higher speeded, widen sidewalks. Safety factor and best way for Crawford is pathway per ODA and,

Why not label streets as share the road streets, they have higher traffic counts. S dorsent

If don't have concern for these why concern for Crawford

PT those streets could not have off street shared use paths for var of reasons.

W Main, w/moving sidewalks from curb line, not enuf room to add off street shared use path

S Dlr sent similar issue

N Market one of first rd diets and area with lined off bike lane. Other re-developme and did as coordinated project.

Have low dam project and shared use path being added for connections, in more comprehensive project; Crawford is wide enuf as its, can accm 5 or 10 ft paths and not encroach further into the yardsounci

Jeff can be we be invited to planning meeting

You could do a work session

Pierce – spoke to so; me of residents and feedback is that cite about revit; 4; blocks from the square; TSF vit parkers in area, beautifia, import to move forward

Marshall restrict speed of motorized bikes.

PT council updated shared use regs. Not all classes, hi speed, not allowed on path system, and thru enforcement,

Marshall – what fastest?

Grant – class based on technical and cannot be converted to a speed.

Marshall if can go 20 mph they will

PT – many use as a boost and not have pedal as fast. They are to assist those with mobility issues.

BP – better cyclists will not be stopped from using the rd. street still available, experienced folks will use street couldt

Marshall – sidewalks are close to front doors and concern about people going faster

Todd- E because of 6-12. If grant, realloc if meet factors.

City take advise from exp cyclists

Tie in the low dam project that will hook with Crawford and part of continutinnorth

Tops.

Westfall. Shared will have to stop at all stops

not fan of shared used bike path, supt parking and idewl

cit

Kelly Moran, 24 Union Street, thought there was survey as curb. then found about a pathway and not curb.

Only couple streets invited, Pedestrian bridge – is there a bridge NO

called ped path, PT is shared use

1.7 M a lot when park is mess.

Noone looked at until you wanted to dev on river.

PT 1.7 is over

pav, curb, stirnwat, water line, newasph and some work to start Herrlinger Pak lpr
rd and util work is a long stretch and why cost

Wjen eap has injectinwells on Crawford, how mpact
PT ususalaly in tree lawn area and would coord
Nees buffer btw peds and moralized bikes.
PT i- do't knowthat actual phy buffer, shared xtra wideand not segregard.
Hope officerson bikes andwho would want in neighborhood.

Want notice , transparency

Megan Girrard, 501 E Franklin
What found about laibliy on sjared path
provided what found with residents so they can ck with attys and ins.
at mtgs, -- 5 block bike path from and to no where, no destination
do street and then if found need spend money, do not see whre path benefits anybody and does bene
nbrhood

Severt to her. assume shared uisereplace sidewalk on west side,
everyone on w side have to pay
sidewalk that

pt e side brand new sidewalk and no assessment, respo in future for maintaining
w side no assess, instred of cornet 10' asph shared use path, we treat as part of pathsyhs and parkdept will
maintain.

Todd, and the 10' could be less

You are concernthat riverfront not go forward,this will not con,nect.
it is goingto s side of river and go to piqua.

her how much use will you get?
They could access at places cost less to connect. why put money until know if need

offensive that neighborhold grant and no input and told what to be used for.

Darlene Brewer, 24o Crawford, neighobrs pay assess now.
PT not double assess no neew assessment.

excited about new curb, bbike path great, bbut don't see use wit so many stop signs. Path really needs
work fix draing and curg, and new sidewalks on race.

schilling are you saying she yr planpaid for new sidewalk and someon 5 yr plan.
Now tear up and they have to pay for for oreyears.

PT when did this section and the work done, assessments made, this grant notabet to pay back bast
assessmentavoid future

mnd blowing that tear upnewand should try to do something for these people

westfall- still adjust to be emer. should have had at least three readings sines meet Jan
1

Bonita Pearson 317Race Dr- apark in increments.
Some immediately, look for other grdants todo even more. Plus GF
like perm restroom as funding found to continue to improve

sales pitch to us was park point of reference for new Crawford St implementation.
would like to see park more focal point,

hard to pass now.
PT not shrink width of street.
rather see park upgraded

marshall – insurance – who responsible in front
Gant gen speaking because of recre fac – rec immunity
state wantencour rec de and
do not see successful claims

person using to use due care

mtg this am e dir of MCV and status of reassessof mcd levey assessemnts,

1. not do full assessa at this time, ct agreed to p pone while study taking place regarding howfunded
2. will be modest increasing the interim to meet revenue rewuirements
3. properties deve since 2012 no new assessment, those prop will be assessed at the 2012 lecel plus modestincrease

Severt- comp TSF chairand committee for successful event
comp council hasting make dec looking 20 years ahead notfor today and feel that will bear true for the
impr of herrlinger

juu 13 at large. tthd

Marshall- hard decision and hope that council has some input into the designand councilinput is valid
andshould b vetake into consider

pierce congrat troy chis tho made it to regiohal fials

rozell – thank those that organ emorial day

tsf cleanu great