

MINUTES OF COUNCIL

A regular session of Troy City Council was held on Monday, May 6, 2024 at 7:00 p.m. in Council Chambers, City Hall.

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

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 Westfall, followed by the Pledge of Allegiance.

RECOGNITION OF OUTGOING MEMBERS OF THE MAYORS YOUTH COUNCIL. The 2023/2024 Mayors Youth Council were recognized.

PUBLIC HEARING: At 7:07 p.m., Council President Rozell declared open a public hearing on Ordinance No. O-18-2024, amendments to the Zoning Code related to DR-O Provisions. There were no comments in this regard and at 7:08 p.m., Mr. Rozell declared this public hearing closed. Mr. Rozell noted that this item had been assigned to the Law & Ordinance Committee, and that Committee will meet on May 13 to provide a recommendation to Council.

MINUTES: The Clerk gave a summary of the minutes of the April 15, 2024, meeting of Troy City Council. There were no corrections or additions to these minutes. Upon motion of Mr. Whidden, seconded by Mr. Phillips, the minutes were approved by unanimous roll call vote.

COMMITTEE REPORTS:

Buildings & Utilities Committee: Mr. Pierce, Chairman, reported as follows:

1. Committee recommends that legislation be prepared authorizing the Director of Public Service and Safety to pay an amount not to exceed \$900,000 to Lytle Road Developers, Ltd., an Ohio limited liability company, of Miamisburg, Ohio, for the City's sewer oversizing costs for the sewer lift station/related lines that benefit the City of Troy and not just the Addison Landing Subdivision. Committee supports emergency legislation so that work can commence on this subdivision during the construction season and due to the lead time needed for the ordering of the lift station equipment.
2. Committee recommends that legislation be prepared authorizing the Director of Public Service and Safety to enter into a Water Agreement with the Board of County Commissioners of Miami County, Ohio and the Municipality of West Milton, Ohio, for Troy to provide water to West Milton. Committee supports emergency legislation as the prior agreement has expired.

Reports submitted by Phillips, Snee and Pierce.

Community & Economic Development Committee: Mr. Schilling, Chairman, reported that Committee recommends legislation be prepared extending by an additional 180 days, the moratorium on the granting of any permits allowing Adult Use Cannabis Operators to establish within the City of Troy. This Committee supports emergency legislation so that there is no lapse in the moratorium as the current moratorium expires on June 1, 2024.

Report submitted by Pierce, Snee and Schilling.

Finance Committee: Mr. Severt, Chairman, reported as follows:

1. Committee recommends that the Resolution of Necessity be prepared related to the sidewalks and shared use path portion of the South Stanfield Road Reconstruction Phase 2. This will then allow for notification to the property owners regarding the estimated assessments.
2. Committee recommends that legislation be prepared establishing the 2024 Downtown Façade Improvements Grant Program in the amount of \$120,000 for non-residential use properties, and that the appropriation for the program be included in reappropriation legislation as necessary. So that the program can be announced as soon as possible and eligible applications benefit from the program to continue their investments in the downtown, this Committee supports emergency legislation.

Reports submitted by Schilling, Westfall and Severt.

Discussion. Regarding the Downtown Façade Improvements Grant Program, Mr. Pierce asked if the owner of a building with a business use on the lower floor and residential use on an upper floor could apply for grant funds. Mr. Titterington stated that the owner of a mixed-use building could apply for grant funds.

CITIZEN COMMENTS ON AGENDA ITEMS: None.

RESOLUTION NO. R-19-2024

A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO A WATER AGREEMENT WITH THE MUNICIPALITY OF WEST MILTON, OHIO AND THE BOARD OF COUNTY COMMISSIONERS OF MIAMI COUNTY, OHIO, 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. Schilling.

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

No: None.

Abstain: Westfall (for personal reasons).

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

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

No: None.

Abstain: Westfall (for personal reasons).

RESOLUTION ADOPTED

RESOLUTION NO. R-20-2024

RESOLUTION DECLARING THE NECESSITY OF NEW AND REPLACEMENT SIDEWALKS/SHARED USE PATH AS PART OF THE SOUTH STANFIELD ROAD RECONSTRUCTION PROJECT PHASE 2 IN 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. Pierce.

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-21-2024

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY TO ESTABLISH A 2024 DOWNTOWN FAÇADE IMPROVEMENT GRANT PROGRAM AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

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

No: None.

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

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

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.

ORDINANCE NO. O-19-2024

ORDINANCE IMPOSING A MORATORIUM FOR A PERIOD OF ONE HUNDRED AND EIGHTY DAYS ON THE GRANTING OF ANY PERMITS ALLOWING ADULT USE CANNABIS OPERATORS FROM ESTABLISHING WITHIN THE CITY OF TROY, OHIO 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. Pierce.

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-20-2024

ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO MAKE PAYMENT TO LYTLE ROAD DEVELOPERS, LTD., AN OHIO LIMITED LIABILITY COMPANY, FOR THE OVERSIZING OF A SEWER LIFT STATION AND RELATED SEWER LINE OVERSIZING FOR THE ADDISON LANDING SUBDIVISION, AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

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

-Announced that a Streetscape Concept discussion meeting will be held on May 22, 6:00 p.m. at the Bravo Room.

-Introduced Charlotte Colley who was appointed to the position of Assistant Director of Public Service and Safety effective May 6.

COMMENTS OF MEMBERS OF COUNCIL:

Mr. Twiss expressed his appreciation for the support his family received following the recent death of his father.

CITIZEN COMMENTS:

-Chad Morgan, 1114 Long Street, commented that he believes his area of Troy is becoming run down, that there is little response to crime in the area, the City does not support improvements to the two parks (Herrlinger Park and Boyer Park) that are in the neighborhood, and the police are not responsive to illegal activities that take place in the wooded area near Boyer Park. Mr. Phillips commented that Mr. Morgan noted that police officers are seen in the neighborhood, but perhaps the response is not what Mr. Morgan wants to see.

-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 noted that West Main Street is open; the sidewalk is open; that the contributions of 334 donors is a testimony to what can happen when collaborations given a chance; some non-stabilization work continues; in the long-term, TPHA does not want to be a landlord but hopes to see the building to another owner who takes preservation seriously; that it is now a time to mend fences with the City and downtown stakeholders coming to together and collaborate; TPHA is glad to see the new Downtown Façade Improvements Grant Program; TPHA believes there is a disconnect as there is no representation of the downtown stakeholders sitting at the dais when decisions are made; and Council is invited to view a new exhibit at Overfield Tavern of artifacts unearthed at the Barbee Farm.

-Brad Boehringer, 105 Crestwood, stated his opinion that the Downtown Streetscape Program is ill-advised, the current setup for traffic around the Public Square is working; and concerns of pedestrian safety is being changed into a different program.

-Heather Sturgill, 323 E. Main Street, asked that Council encourage legislators to support the We the People Amendment at the state and federal levels.

There being no further business, Council adjourned at 7:52 p.m.

Clerk of Council

President of Council