

MINUTES OF COUNCIL

A regular session of Troy City Council was held on Monday, October 21, 2024, at 7:00 p.m. in Council Chambers, City Hall.

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

Upon motion of Mr. Schilling, seconded by Mr. Pierce, Mrs. Snee 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

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

MINUTES: The Clerk gave a summary of the minutes of the October 7, 2024, meeting of Troy City Council. There were no corrections or additions to these minutes. Upon motion of Mr. Twiss, 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 reviewed the recommendation of the Troy Planning Commission that Zoning Code amendments be approved to prohibit Adult Use Cannabis Operators. The Committee discussed holding a public hearing prior to making a recommendation on the Planning Commission recommendation and extending the current moratorium on applications for Adult Use Cannabis Operators by 90 days. Committee recommends that the November 4 Council agenda include public comment on the subject of prohibiting Adult Use Cannabis Operators within the City. Committee further recommends that legislation be prepared extending by 90 days the current moratorium of applications for Adult Use Cannabis Operators.
2. Committee recommends legislation be prepared taking ownership of four vacant properties from the Miami County Board of Revisions and transferring the parcels to the Community Improvement Corporation of Troy, Ohio (CIC) so that the CIC can market the properties on the City's behalf for redevelopment. The parcels are located at 366 Miami Street, 1015 Meadow Lane, 402 Lake Street, and 177 Finsbury Lane.

Reports submitted by Pierce, Snee and Schilling.

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

1. Committee recommends legislation be prepared providing for the routine adjustment of fees charged by various offices and department, with any adjustments effective January 1, 2025.
2. Committee recommends legislation be prepared approving the 2025 payment to Miami County Public Health in an amount not to exceed \$412,192.87, a 2.1% adjustment over the 2024 payment.

Reports submitted by Schilling, Westfall and Severt.

Discussion. Mr. Titterington noted that the fee schedule will be posted on the website, and that few fees were adjusted.

Recreation & Parks Committee: Mrs. Westfall, Chairman, reported that Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to enter into a contract with Brumbaugh Construction Inc of Arcanum, Ohio related to the design-build construction process for a new Park Maintenance Building, with the amount covering the design portion of the contract and the ordering of the metal structure. Committee supports emergency legislation so that the metal structure (which has a four-month lead time for delivery) can be ordered without delay.

Report submitted by Marshall, Whidden and Westfall.

Streets & Sidewalks Committee: Mr. Phillips, Chairman, reported that Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to enter into a Phase 2 professional services agreement with LJB, Inc. of Miamisburg, Ohio for the design of the Downtown Safety and Streetscape Renovation Project at a total cost not to exceed \$617,370. Committee noted that this would be a 2026-2027 construction project and this phase will not include Prouty Plaza, which could be considered as part of a potential 2025 Park and Recreation strategic plan project.

Report submitted by Schilling, Westfall and Phillips.

Mrs. Marshall asked if the Council would have an option for further input, such as changing lanes and other design elements. Mr. Titterington stated that the proposed final design will come back to Council with the safety issues for review and input prior to the project design being finalized for bidding authorization.

CITIZEN COMMENTS ON AGENDA ITEMS: Carol Henriksen, 975 Dickerson Drive, commented that she believes legislation to prohibit adult cannabis operators in the City is a political effort to circumvent the will of the people who voted to legalize recreational marijuana.

RESOLUTION NO. R-57-2024

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO, TO ENTER INTO AN AGREEMENT WITH F.O.P., OHIO LABOR COUNCIL, INC. – TROY POLICE CAPTAINS ASSOCIATION

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-58-2024

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO AN AGREEMENT WITH THE MIAMI COUNTY GENERAL HEALTH DISTRICT FOR HEALTH SERVICES

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-59-2024

RESOLUTION ADJUSTING FEES RELATED TO VARIOUS SERVICES OF THE CITY OF TROY, OHIO

This Resolution was given first title reading.

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

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

No: Pierce.

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

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

No: Pierce.

RESOLUTION ADOPTED

RESOLUTION NO. R-60-2024

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO A DESIGN-BUILD CONTRACT WITH BRUMBAUGH CONSTRUCTION INC OF ARCANUM, OHIO AND AUTHORIZING BRUMBAUGH CONSTRUCTION INC TO PROCEED WITH THE PROJECT DESIGN AND ORDERING OF THE STEEL STRUCTURE, AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-61-2024

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH LJB, INC. OF MIAMISBURG, OHIO FOR THE DESIGN OF THE DOWNTOWN SAFETY AND STREETScape RENOVATION PROJECT

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

ORDINANCE NO. O-43-2024

ORDINANCE AMENDING ORDINANCE NO. O-66-2021, AS AMENDED BY ORDINANCE NO. O-35-2022 AND ORDINANCE NO. O-37-2024, FIXING SALARIES OF POLICE CAPTAINS OF THE CITY OF TROY, OHIO, 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. Twiss.

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-44-2024

ORDINANCE FIXING SALARIES AND WAGES OF CERTAIN EMPLOYEES OF THE CITY OF TROY, OHIO

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-45-2024

ORDINANCE IMPOSING A MORATORIUM FOR A PERIOD OF NINETY 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. Pierce moved for suspension of rules requiring three readings. Motion seconded by Mr. Twiss.

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-46-2024

ORDINANCE TO ACCEPT TRANSFER OF FOUR NON-PRODUCTIVE VACANT PARCELS FROM THE MIAMI COUNTY BOARD OF REVISIONS AND THEN TRANSFER THE SAME PARCELS TO THE COMMUNITY IMPROVEMENT CORPORATION OF TROY, OHIO

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-47-2024

ORDINANCE AMENDING SOME SECTIONS OF CHAPTER 141 OF THE CODIFIED ORDINANCES OF THE CITY OF TROY, OHIO AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

COMMENTS OF THE MAYOR:

-Mayor Oda noted that recreational marijuana is legal in Ohio, and what is being discussed is if a dispensary should be permitted in Troy.

COMMENTS OF THE DIRECTOR OF PUBLIC SERVICE AND SAFETY:

-Mr. Titterington noted that leaf collection continues.

COMMENTS OF MEMBERS OF COUNCIL:

-Mr. Pierce asked that in the Streetscape design, attention be paid to the needs of persons with mobility issues and/or in wheelchairs, particularly when crossing the street.

-Mr. Whidden, Mrs. Westfall and Mr. Severt encouraged citizens to comment at the November 4 public hearing regarding permitting recreational marijuana dispensaries in Troy.

-Mr. Schilling asked that the public have a generous time limit to be heard on the marijuana dispensary issue on November 4. Mr. Rozell commented that he will ask that comments be presented respectfully and not be repetitive. It was noted that citizens can submit comments in writing or via the City's website ahead of the November 4 public hearing.

-Mrs. Westfall commented that the At-Large members of Council will hold an information session November 2 at the St. Patrick Soup Kitchen on Madison Street, and the public is encouraged to attend.

COUNCIL PRESIDENT COMMENTS:

-In response to Mr. Rozell regarding political signs, Mr. Titterington commented that the City is addressing those that are non-compliant.

AUDIENCE COMMENTS:

-Steve Henriksen, 975 Dickerson Drive, commented regarding the Planning Commission public hearing on the Comprehensive Plan update, stating that the slides could not be read on the streaming of the meeting; the public had to wait another day for the presentation to be on the website; and it seemed that it was handled in a way to confuse the public.

-Nadine Straton, 202 N. Madison Street, commented about issues she as seen with work and a dumpster at 202 N. Madison. Mr. Titterington commented that the City has been in contact with the property owner, and some stated issues were not found and the owner is complying with the requests of the City.

There being no further business, Council adjourned at 7:50 p.m.

Clerk of Council

President of Council