

## MINUTES OF COUNCIL

A regular session of Troy Council was held on Monday, December 16, 2024, at 7:00 p.m. in Council Chambers, City Hall.

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

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

|                    |                            |                                       |
|--------------------|----------------------------|---------------------------------------|
| Presiding Officer: | William G. Rozell          | President of Council                  |
| Others Present:    | 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 Severt, followed by the Pledge of Allegiance.

MINUTES: The Clerk gave a summary of the minutes of the December 2, 2024, meeting of Troy City Council. There were no corrections or additions to these minutes. Upon motion of Mr. Whidden, seconded by Mr. Twiss, the minutes were approved by unanimous roll call vote.

#### COMMITTEE REPORTS:

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

1. Committee recommends legislation be prepared authorizing the Director of Public Service & Safety to advertise for bids and enter into contracts for the following roofing projects:
  - A. Recoating of the City Hall roof at a cost not to exceed \$125,000
  - B. Repairs to the coping and metal edging of the roof at the Central Service and Maintenance Facility on Experiment Farm Road at a cost not to exceed \$180,000
2. Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to advertise for bids and enter into a contract for the 2025 supply of water meters and appurtenances at a cost not to exceed \$1,000,000.
3. Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to advertise for bids and enter into a contract for miscellaneous water meter parts for calendar year 2025 at a cost not to exceed \$225,400.

Reports submitted by Phillips, Snee and Pierce.

Community & Economic Development Committee: Mr. Schilling provided a status report that Committee met regarding amending Ordinances and Regulations to require recreational trails/shared use paths to be a part of new developments and subdivisions. Mr. Schilling supported a recommendation at this time. Mrs. Snee and Mr. Pierce supported waiting for the consultant to finish the current review of amendments to the Zoning Code and Subdivision Regulations to consider Mr. Schillings recommendation. There is no legislative recommendation at this time.  
Report submitted by Pierce, Snee and Schilling.

Community Partnerships Committee: Mrs. Marshall, Chairman, reported that Committee recommends legislation be prepared regarding authorizing the Director of Public Service and Safety to enter into the Village of Casstown Waterline Extension Project Funding Agreement with the Board of Miami County Commissioners and authorizing the Director of Public Service and Safety to make payment for the City portion of the project to the contractor selected by the Board of Miami County Commissioners in an amount not to exceed \$1,500,000.  
Report submitted by Severt, Twiss and Marshall.

Law & Ordinance Committee: Mr. Whidden, Chairman, reported that Committee recommends that a letter of support be submitted by the Director of Public Service and Safety for the D-1, D-2, and D-3 TREX liquor permit application as requested by The Links Golf Social LLC. As this is not a matter of legislation, Committee asks that the following motion be approved: "That Council approves the Law & Ordinance Committee Report to support the TREX application of The Links Golf Social LLC to be located at 240 S. Walnut Street."  
Report submitted by Marshall, Whidden and Twiss.

A motion was made by Mr. Severt, seconded by Mr. Pierce, that Council approves the Law & Ordinance Committee Report recommending approval of the TREX application of The Links Golf Social LLC. Motion passed by unanimous roll call vote.

Personnel Committee: Mrs. Snee, Chairman, provided an oral report regarding appointments to certain boards and commissions.

1. A motion was made by Mrs. Snee, seconded by Mr. Whidden, that Council consents to the Director of Public Service and Safety's new appointment of Mark Wendling to the Income Tax Board of Review for a two-year term commencing 1-1-2025. Mr. Wendling will be filling the board position formerly held by Mark Douglas, who did not wish to be reappointed. Motion passed by unanimous roll call vote.
2. A motion was made by Mrs. Snee, seconded by Mr. Schilling, that Council consents to the request of Mayor Oda for the following reappointments to the Community Improvement Corporation (CIC) for new one-year terms commencing 1-1-2025: Bradley Bixler, Joseph Graves, Heath Murray, Edward Westmeyer, and Kathy Vukovic; and for the new appointment of Ben Poeppelman (replacing Gary Fischer) to the CIC for a one-year term commencing 1-1-2025. Motion passed by unanimous roll call vote.
3. A motion was made by Mrs. Snee, seconded by Mrs. Westfall, that Council consents to the request of Mayor Oda for the reappointment of Shirly Snyder to the Economic Development Revolving Loan Fund Loan Review Committee for a new three-year term commencing 1-1-2025. Motion passed by unanimous roll call vote.

#### CITIZEN COMMENTS ON AGENDA ITEMS:

-Brad Boehringer, 105 Crestwood Dr., Troy – congratulated Council on having the courage to regarding the marijuana issue, giving his opinion that the war on drugs was lost years ago and people will smoke marijuana whether it is legal or not.

-Susan Justice, 845 Cartwright Ct., Troy – opposes having a marijuana operator in Troy, and spoke regarding the harm that comes with it, as well as more addictive issues.

-Steve Norris, 2618 Durham St., Troy – opposes marijuana dispensary, stating he has seen negative impact of marijuana use during 24 years as a police officer and 14 years as a paramedic, as well as serving as a chaplain and on a crisis intervention team. He also commented that use of marijuana remains a Federal offense, and he has seen documentation of marijuana use leading to use of other abuse of other drugs and an increase in crime in areas where dispensaries are located.

-Steven Justice, 845 Cartwright Ct., Troy – commented that City leaders have spent hours trying to help people who are addicted to drugs by working on the Crisis Intervention Team; many persons they have tried to help stated that marijuana use led to using other drugs and addiction; and commented regarding other negative impacts with allowing a marijuana operator in Troy.

-Viginia Wells 2284 Wooden Lane, Troy – spoke regarding her prior work as a social worker and the harm the negative impacts of marijuana use. She also commented that the agencies in Troy try to help people get sober and having a marijuana operator in Troy will hinder this work.

-Mr. Schilling commented that there will be a workshop of Council as a Committee of the Whole on December 18 to discuss Ordinance Numbers O-59-2024 and O-60-2024. He commented that the legislation reflects the Committee Report but the Committee Report did not reflect the discussed recommendation.

#### RESOLUTION NO. R-72-2024

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 WATER METERS FOR CALENDAR YEAR 2025

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

#### RESOLUTION NO. R-73-2024

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 MISCELLANEOUS WATER METER PARTS FOR CALENDAR YEAR 2025

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-74-2024

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR TWO ROOFING MAINTENANCE PROJECTS, ONE FOR CITY HALL AND ONE FOR THE CENTRAL SERVICE AND MAINTENANCE FACILITY

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-75-2024

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO THE CASSTOWN WATERLINE EXTENSION PROJECT FUNDING AGREEMENT WITH THE BOARD OF MIAMI COUNTY COMMISSIONERS AND TO MAKE PAYMENT DIRECTLY TO THE PROJECT CONTRACTOR SELECTED BY THE BOARD OF MIAMI COUNTY COMMISSIONERS

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

ORDINANCE NO. O-58-2024

ORDINANCE AMENDING ORDINANCE NO. O-53-2023, AS AMENDED BY ORDINANCE NO. O-36-2024, APPROPRIATING FUNDS NECESSARY FOR THE VARIOUS DEPARTMENTS AND OFFICES OF THE CITY OF TROY, OHIO, FOR THE YEAR 2024

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-59-2024

AN ORDINANCE AMENDING SECTIONS 1143.16 AND 1149.14 OF THE ZONING CODE OF THE CITY OF TROY, OHIO AND ENACTING SECTION 1149.15 OF THE ZONING CODE OF THE CITY OF TROY, OHIO

This Ordinance was given first title reading.

(note- permit one Medical Marijuana facility in B-4 Dist.)

Discussion. Mr. Schilling asked that the Ordinance go to a second reading; there is some concern about the wording of the Ordinance based on the Committee discussion/recommendation; and this Ordinance (as well as O-60-2024) be discussed by a meeting of Council as a Committee of the Whole on December 18.

ORDINANCE NO. O-60-2024

AN ORDINANCE AMENDING SECTION 1143.16 OF THE ZONING CODE OF THE CITY OF TROY, OHIO AND ENACTING SECTIONS 1149.16 AND 1149.17 OF THE ZONING CODE OF THE CITY OF TROY, OHIO.

This Ordinance was given first title reading.

(note- permit one Adult Use Cannabis Operator (recreational) in B-4 Dist.)

ORDINANCE NO. O-61-2024

AN ORDINANCE AMENDING SECTION 1143.19 OF THE ZONING CODE OF THE CITY OF TROY, OHIO

This Ordinance was given first title reading.

(note- permit laboratory in M-3 Dist.)

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

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

No: None.

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

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

No: Twiss.

ORDINANCE ADOPTED

#### COMMENTS OF MEMBERS OF COUNCIL:

Mr. Titterington noted:

-The last round of leaf pickup has started.

-Cut Christmas Trees will be collected December 26-January 31.

-City Offices are closed December 24/25 for the Christmas holidays and January 1 for the New Year's holiday.

-Refuse will be delayed one day starting December 25 and January 1.

#### COMMENTS OF MEMBERS OF COUNCIL:

-Mrs. Westfall thanked those that spoke at the Council meeting.

-Mrs. Snee thanked all of the volunteers who helped with the Overfield Tavern Yuletide Dinner and St. Patrick Soup Kitchen for volunteering space for the dinner after the Overfield Tavern was damaged by the December 7 fire.

-Members of Council offered Christmas wishes for the community.

-Mr. Severt commended the City for the financial assistance of up to \$75,000 to assist the Overfield Tavern with recovery from the fire.

#### COMMENTS OF THE PRESIDENT OF COUNCIL.

Mr. Rozell commented that Council will meet as a Committee of the Whole on December 18 with the only agenda item a review of Ordinance Numbers O-59-2024 and O-60-2024.

#### AUDIENCE COMMENTS:

-Eric Krites, owner of 240 S. Walnut Street, the location of the TREX application (Committee report of Law & Ordinance Committee) thanked Council for approving the application.

-Chris Manning, 6 Lafayette Street, Casstown, Ohio, Executive Director of the Overfield Tavern stated appreciate for the assistance of the City regarding the December 7 fire at Overfield Tavern; she thanked the Troy Fire Department for the quick response and neighboring Fire Departments that provide mutual aid; and Mayor Oda and Mr. Titterington for indicating the City support, up to \$75,000, in helping deal with the devastation to the building and other issues in the aftermath of the fire. Ms. Manning stated that the building is insured, some artifacts have been salvaged and are being preserved; some artifacts were totally destroyed and it is hoped that from the community by donations or purchasing, similar age artifacts will be provided; the original log walls survived much of the fire; Overfield Tavern will be rebuilt being as faithful as possible to the original, and will again serve as an educational center for the community; she is grateful that the Yuletide Dinner was able to be held, thanks to relocating it to the St. Patrick Soup Kitchen, as that dinner is the major fundraiser; and the support of the community is greatly appreciated. Ms. Manning also commented that a fund for donations is being set up through The Troy Foundation.

-Steve Justice, 845 Cartwright Ct., Troy - encouraged Council not to establish any category of cannabis dispensary due to the medical and sociological results; and the negative impact on the reputation of the community; commented that a dispensary will not result in reducing illegal sales of marijuana as purchasers will often be seeking the lowest price; and stated that possession marijuana remains a violation of Federal law.

-Brad Boehringer, 105 Crestwood Dr., Troy- commented that not establishing a dispensary is not respecting the voters of Troy who voted 52 – 48% for the legalizing of recreational marijuana in Ohio. He asked to see data regarding the success of the Drug Free Coalition. Mr. Kerber clarified that there was a state-wide vote that enacted a new chapter of the Ohio Revised Code and that chapter included a section that permits local political subdivisions to make a choice about allowing adult use cannabis operators.

There being no further business, Council adjourned at 8:02 p.m.

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Clerk of Council

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President of Council

