

MINUTES OF COUNCIL

A regular session of Troy City Council was held on Monday, July 1, 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. Severt, seconded by Mr. Schilling, 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 Pierce, followed by the Pledge of Allegiance.

PUBLIC HEARING: At 7:02 p.m., Council President Rozell declared open a Public Hearing on Resolution No. R-33-2024, the Tax Budget. There were no comments in this regard, and at 7:03 p.m., Mr. Rozell declared this public hearing closed.

MINUTES: The Clerk gave a summary of the minutes of the June 17, 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 and Safety to advertise for bids and enter into a contract for the Wastewater Treatment Plant Sludge Thickening Tanks Drive Unit Replacement Project at a cost not to exceed \$340,000.
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 Police Department Building Boiler Replacement Project at a cost not to exceed \$120,000.

Report submitted by Phillips, Snee and Pierce.

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

1. Committee recommends legislation be prepared authorizing the Director of Public Service and Safety to execute the release of mortgage lien for Jay and Lisa Harris at 9 South Market Street as the loan has been repaid in full. Committee supports emergency legislation so that the mortgage lien can be released without delay.
2. Regarding the Tour De Donut Event, Committee recommends legislation be prepared to:
 - A. Authorizing the Director of Public Service and Safety to enter into an agreement with Can't Stop Running Co. related to the Tour de Donut event (August 23/24), including notwithstanding wording.
 - B. Authorizing the Director of Public Service and Safety to enter into an agreement with Troy Main Street, Inc. related to the Donut Jam event (August 23/24), including notwithstanding wording.

Reports submitted by Schilling, Westfall and Severt.

Law & Ordinance Committee: Mr. Whidden, Chairman, reported as follows:

1. Committee recommends that the TREX liquor permit application of Walts Works LLC for D-1 and D-2 permits for the location at 860 W. Market Street, Unit D be approved as this would be an Economic Development Project that will bring five jobs to the City of Troy. The permits would be from the owner's business in Tipp City, Ohio. As this is not a matter of legislation, this Committee asks that this recommendation to support the TREX application be accepted by Council so that a letter can be provided to be included in the application that the applicant will submit to the Division of Liquor Control.

Report submitted by Whidden and Twiss, with Mrs. Marshall abstaining as she is employed by the applicant.

A motion was made by Mr. Severt, seconded by Mrs. Snee, that Council approves the Law & Ordinance Committee Report recommending approval of the TREX application of Walts Works LLC.

Yes: Whidden, Schilling, Twiss, Severt, Westfall, Pierce and Snee. No: None

Abstain: Marshall as she is employed by the applicant.

MOTION ADOPTED

2. Committee recommends that legislation be prepared authorizing the City to become a member of the group purchasing program of the OML for Natural Gas Aggregate for natural gas for City facilities and authorize the Director of Public Service and Safety to execute the Participation Agreement for the OML Energy Program and to execute any related documents.

Report submitted by Whidden, Twiss and Marshall.

Mr. Whidden gave an oral report that the Ohio Division of Liquor Control has transmitted the notice of the application for a new C-2 Liquor Permit for Aldi Inc Ohio, 50 Troy Town Drive.

CITIZEN COMMENTS ON AGENDA ITEMS: None.

RESOLUTION NO. R-33-2024

RESOLUTION ADOPTING THE BUDGET OF THE CITY OF TROY, OHIO FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2025 AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-34-2024

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 SLUDGE THICKENING TANKS DRIVE UNIT REPLACEMENT PROJECT AT THE WASTEWATER TREATMENT PLANT

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-35-2024

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 POLICE DEPARTMENT BUILDING BOILER REPLACEMENT PROJECT

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-36-2024

RESOLUTION AUTHORIZING THE CITY OF TROY, OHIO TO BECOME A MEMBER OF THE OHIO MUNICIPAL LEAGUE ENERGY PURCHASING PROGRAM FOR NATURAL GAS PURCHASING FOR CITY-OWNED FACILITIES, AND AUTHORIZE THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO EXECUTE THE NATURAL GAS PARTICIPATION AGREEMENT FOR SECURING NATURAL GAS PRICING FOR CITY-OWNED AND CONTROLLED FACILITIES

This Resolution was given first title reading.

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

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

No: None.

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

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

No: None.

RESOLUTION ADOPTED

ORDINANCE NO. O-25-2024

ORDINANCE RELEASING MORTGAGE LIEN FOR JAY HARRIS AND LISA HARRIS, dba POSITIONING BY DESIGN, 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: Schilling, Marshall, Twiss, Severt, Westfall, Pierce, Snee and Whidden.

No: None.

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

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

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-26-2024

ORDINANCE AUTHORIZING THE USE OF PUBLIC AREAS FOR THE 2024 TOUR DE DONUT EVENT, NOTWITHSTANDING CONFLICTING PROVISIONS OF THE TROY CODIFIED ORDINANCES, AND AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO AN AGREEMENT WITH CAN'T STOP RUNNING CO THEREFOR

This Ordinance was given first title reading.

Discussion. In response to Mr. Pierce, Mr. Titterington stated that the DORA boundaries will not be expanded for the Dour De Donut event.

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

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

No: None.

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

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

No: Twiss.

ORDINANCE ADOPTED

ORDINANCE NO. O-27-2024

ORDINANCE AUTHORIZING THE USE OF PUBLIC AREAS FOR THE 2024 DONUT JAM EVENT, NOTWITHSTANDING CONFLICTING PROVISIONS OF THE TROY CODIFIED ORDINANCES, AND FURTHER APPROVING THE USE OF AN AREA FOR THE SALE OF BEER AND WINE, SUBJECT TO THE ISSUANCE OF PROPER PERMITS BY THE STATE OF OHIO AND PROCUREMENT OF LIQUOR LIABILITY INSURANCE AND AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO AN AGREEMENT WITH TROY MAIN STREET, INC. THEREFOR

This Ordinance was given first title reading.

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

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

No: None.

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

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

No: Twiss.

ORDINANCE ADOPTED

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

-City offices will be closed for July 4; refuse collections will be on schedule.

-Daryl Williams has been promoted to the position of Foreman of the Electrical Division.

-Noted that Norman Spence, newly appointed President of the Troy Kettering Hospital, was in the audience. Mr. Spence commented that he is pleased to be in Troy, he has found Troy to be a phenomenal community, and he looks forward to working with local officials.

COMMENTS OF COUNCIL MEMBERS:

-Mr. Severt noted there will be a concert at Treasure Island Park on July 4 sponsored by The Troy Foundation, the Troy Rotary Club and the City. He also commented that the Councilmembers-at-Large will host an open meeting on July 13, 9:00 a.m., Troy Senior Citizens Center.

-Mr. Whidden asked about Police Department response to neighborhood fireworks based on the Ohio Law that permits such fireworks within certain hours. Mr. Titterington commented that the Police Department will respond to complaints and encourage residents to be sensitive regarding their neighbors.

There being no further business, Council adjourned at 7:29 p.m.